



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
February 13, 2008
10:00 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (pages 1-2)
3. Approval of Minutes — December 19, 2007 (pages 3-32)
4. Manufactured Housing Commission Fees Financial Report – FY 2008 1st Quarter (page 33)
5. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

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6. Imposition of Penalties
 - a. Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates and William G. Taylor, Resident Agent and Operator (pages 34-52)
 - b. Michigan Home Solutions, Inc., and Patricia Gitler, President and Operator (pages 53-71)
7. Variances
 - a. Almont Meadows, LLC (Lapeer County) (pages 72-79)
 - b. Pleasant Lake Mobile Home Community (Jackson County) (pages 80-86)
 - c. Spring Valley Mobile Home Park, LLC (Kent County) (pages 87-104)
 - d. Sunset Village Mobile Home Park (Genesee County) (pages 105-117)
 - e. Wildwood Mobile Estates (Roscommon County) (pages 118-123)
8. Committee Reports
 - a. Ordinance Review Committee (pages 124-136)
9. Old Business
10. New Business
 - a. Report on Annual Inspections of Manufactured Home Communities
 - b. License Approval (page 137)
11. Executive Director's Report
12. Other Business
13. Adjournment



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES — DRAFT

December 19, 2007

10:00 a.m.

MEMBERS PRESENT

Mr. Ronald Blank, Chairperson
Ms. Betty Blackburne
Ms. Kathy Edwards-Johnson
Ms. Carole Elliott
Ms. Mary Fowlie

Mr. Kevin Gillette
Mr. David Hagey
Mr. Mark Raukar
Mr. Jerome Ruggirello

MEMBERS ABSENT

Ms. Brenda Abbey – Excused
Ms. Lisa Szymanski – Excused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Larry Lehman, Chief, Building Division, Bureau of Construction Codes (BCC)
Mr. Charles Curtis, Assistant Chief, Building Division, BCC
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC
Mr. Kevin DeGroat, Regulation Specialist, OLGCS, BCC
Mr. Bill DeTemple, Analyst, OLGCS, BCC
Mr. David Vigas, Director, Office of Management Services, BCC

OTHERS IN ATTENDANCE

Ms. Myrtle Barrett, Cadgewith Farms
Mr. Tim DeWitt, MMHA
Mr. Roy N. Gruenberg, College Park Mobile Home Community
Ms. Dawn Gruenberg, College Park Mobile Home Community
Mr. Lynwood Wellhausen, Rudgate Communities

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1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 10:01 a.m. by Vice-Chairperson Blank. A quorum was determined to be present at that time.

2. **APPROVAL OF THE AGENDA**

A **MOTION** was made by Commissioner Raukar and supported by Commissioner Fowlie to approve the Agenda. **MOTION CARRIED.**

****Addendum 1

3. **APPROVAL OF MINUTES**

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Hagey to approve the minutes of the October 10, 2007, meeting. **MOTION CARRIED.**

****Addendum 2

4. **MANUFACTURED HOUSING COMMISSION FEES FINANCIAL REPORT**

Mr. Vigas gave the Manufactured Housing Commission Fees Financial Report for the 4th Quarter and Year-End of FY 2007 and reported that the fund did end in a positive balance for the year. It is set up as a carry-over balance, so these funds do remain with us into the new fiscal year. The fund balance listed does include a carry-over balance from the previous fiscal year of \$726,464.

5. **PUBLIC COMMENT**

Ms. Myrtle Barrett, owner of Cadgewith Farms in Lansing, Michigan, asked to speak to the Commission. She indicated that the park was written up for some violations, and at the last Commission meeting in October she asked for some clarification and an interpretive statement. She then received a letter from Mr. Lehman (copy provided to Commissioners) with his opinion on the definition on page 2. In short he states that the park is responsible for the individual sidewalks as well as community walkways. She does not agree with Mr. Lehman's opinion, and feels that individual sidewalks and walkways between homes, etc., are the responsibility of the resident who put them in. The park did not put them in and does not claim to own them. She asked for an interpretive statement and thought this would come from a legal department. She would like a further opinion than just Mr. Lehman's on the interpretation of this.

As a suggestion, Mr. Lehman asked that first the Commission take his letter together with Ms. Barrett's comments today and make an opinion whether or not you agree with what he has written. Secondly, whether or not you feel an interpretive statement should be issued by the Commission. That will give you two months to look at it and give the Bureau some direction.

Commissioner Ruggirello indicated he personally would need some additional information in order to come to an opinion. He would like to see a copy of the rules and regulations to the community, a copy of their lease agreement, any and all construction drawings and/or variances issued by the Department, and the document giving the resident permission to put the sidewalk in.

Mr. Fisher of the Bureau's Office of Local Government and Consumer Services indicated that since there is an open complaint already filed against this community regarding the sidewalk issue that we should cease discussing it further. Vice-Chairperson Blank indicated that if there is a complaint filed against the community, then the normal course would be for Ms. Barrett to respond to that and perhaps supply the same information that we just discussed. It may very well get to the Commission that way, or it may be resolved by Bureau staff before it gets to the Commission.

6. **IMPOSITION OF PENALTIES**

In the Matter of College Park Mobile Home Community and Roy N. Gruenburg, Owner and Operator

Mr. Gruenburg and his daughter Ms. Gruenburg were present to represent the Respondent.

Mr. DeGroat represented the Bureau of Construction Codes.

After discussion, a **MOTION** was made by Commissioner Raukar and supported by Commissioner Gillette to impose a civil fine in the amount of One Thousand Dollars (\$1,000.00); an additional civil fine in the amount of Four Thousand Dollars (\$4,000.00) and automatic revocation of the Respondents' Manufactured Housing Community License No. P000990 sixty (60) days from the date of the Final Order if Respondent does not pay the initial One Thousand Dollar (\$1,000.00) civil fine. Revocation of Respondent's Manufactured Housing Community License No. P000990 shall automatically require Respondent and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation under Rule R125.1214b. Revocation of Respondent's Manufactured Housing Community License No. P000990 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed. If the license is revoked, the Respondent shall make full restitution to all existing College Park Mobile Home

Community residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondent after Respondent's Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed. Should Respondent qualify for and obtain a Manufactured Housing Community License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondent fails to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondent's Manufactured Housing Community License is revoked pursuant to the limitation described above, Respondent shall make full restitution to all customers to whom Respondent has not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license. **MOTION CARRIED.**

****Addendum 3

In the Matter of Patricia L. Gitler, Sole Proprietor and Operator d/b/a Hunters Creek Estates

No one was present to represent the Respondent.

Mr. DeGroat represented the Bureau of Construction Codes.

After discussion, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Edwards-Johnson to appoint a Receiver to administer the operation of Hunters Creek Estates, due to the Respondent's continuing failure to comply with all of the conditions of the February 8, 2006, Final Order. **MOTION CARRIED.**

****Addendum 4

In the Matter of Kind Community, Inc., and Deborah L. Kind, President and Operator

No one was present to represent the Respondents.

Mr. DeGroat represented the Bureau of Construction Codes.

After discussion, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Edwards-Johnson to impose a civil fine in the amount of Three Thousand Dollars (\$3,000.00); an additional civil fine in the amount of Seven Thousand Dollars (\$7,000.00) and automatic revocation of the Respondents' Manufactured Housing Community License No. P001310 sixty (60) days from the date of the Final Order if Respondents do not pay the initial Three Thousand Dollar (\$3,000.00) civil fine and submit requested documentation cited in the Bureau Order to Answer issued on June 25, 2007. Revocation of Respondents' Manufactured Housing Community License No.

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P001310 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation under Rule R125.1214b. Revocation of Respondents' Manufactured Housing Community License No. P001310 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed. If the license is revoked, the Respondents shall make full restitution to all existing Kind Community, Inc., residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed. Should Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondents fail to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondents' Manufactured Housing Community License is revoked pursuant to the limitation described above, Respondents shall make full restitution to all customers to whom Respondents have not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license. **MOTION CARRIED.**

****Addendum 5

7. VARIANCES

There were no variances requested. However, a variance matter that was tabled at the Commission meeting on August 15, 2007, was discussed.

Update on Spring Valley Mobile Home Park (Kent County)

No one was present to represent the community.

Mr. DeGroat indicated that this particular community wrote back to the Bureau on 10/31/07 and sent a packet of information indicating that the variances requested to the 4' clear pathway violations are not going to be necessary, and they included photos of every lot in question. Consequently, Mr. Bill DeTemple, an auditor for the Bureau, went out and inspected the community, and in his 11/30/07 audit report that was sent to Spring Valley he found 18 counts comprising violations, some of these of which are new violations. Typically what happens when there are new violations, from an administrative standpoint, is we have to start over again and go from the audit report to a Notice of Opportunity, etc.

8. **COMMITTEE REPORTS**

There were no committee reports given.

9. **OLD BUSINESS**

There was no old business to discuss.

10. **NEW BUSINESS**

Election of Officers

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Blackburne to nominate Commissioner Blank as Chairperson. There were no other nominations made. **MOTION CARRIED.**

A **MOTION** was made by Commissioner Edwards-Johnson and supported by Commissioner Elliott to nominate Commissioner Raukar as Vice-Chairperson. There were no other nominations made. **MOTION CARRIED.**

Report on Annual Inspections of Manufactured Home Communities

Mr. Lehman indicated that the only thing he has to report is that the Annual Inspection Reports for FY 2008 have been distributed to the Building, Electrical, Mechanical and Plumbing Divisions. So the Bureau inspectors will begin conducting their annual inspections of all the manufactured home communities. Looking to the future, next year it certainly looks like our Manufactured Housing Database will be transferred over to PermitsPlus which is the database currently used by the Bureau for permits, inspections and licensing. This will be of benefit to the inspectors, because they're already familiar with it and will have the reports electronically. They will fill them out electronically and the information will immediately go into our licensing database.

License Approval

After discussion, a **MOTION** was made by Commissioner Elliott and supported by Commissioner Edwards-Johnson to approve all pending licenses based on Bureau staff investigating to see if "Edwardsburg Estates MHC, LLC" has had any previous licensing action taken against their operator. If so, then their license will be put on hold and further information brought back before the Commission before it's approved. **MOTION CARRIED.**

****Addendum 6

11. EXECUTIVE DIRECTOR'S REPORT

Mr. Lehman announced that the proposed Manufactured Housing General Rules are moving forward. Commissioners were all provided with a hard copy and an electronic copy of the proposed rules. The Bureau has asked to have the public hearing on these rules set for February 7, 2008, but we are still waiting to hear back. We will let the Commission know as soon as we hear what the definite date is. Public comments can be received at the public hearing, and the Bureau has to answer every single public comment. Written comments can be received by the end of the same day. So your comments can either be in writing or at the public hearing in front of everyone.

12. OTHER BUSINESS

Chairperson Blank asked how to handle communities (townships, cities, bodies of government, etc.) that are trying to impose ordinances that are unapproved by the Commission with regards to them wanting to inspect areas of a licensed manufactured housing community, i.e., rental or resale inspections?

Mr. Lehman responded that new buildings or a new unit being brought into a site, additions, remodels to a unit are certainly under the authority of the local enforcing agency. If in fact a new unit is brought onto a site, there is a requirement for the building, electrical, plumbing permits from the local enforcing agency, and they do have the authority and should be entering the home to do the inspections. Some communities want to do a rental inspection within a certain time period (like every two years) or a resale inspection upon the sale of a home. It is the opinion of the Bureau that the Construction Code Act regulates new buildings, alterations, remodels, etc., and the community has the enforcement power already in accordance with Act 230 and the Mobile Home Commission Act. Whenever a community wants to impose a resale or rental inspection, they do in fact have to bring that ordinance before the Commission for your approval.

The Construction Code Act does adopt by reference the Property Maintenance Code. That is for the maintenance of structures. If a local enforcing agency (being a building department) gets a report of an unsafe structure, they can take the Property Maintenance Code as referenced by the Building and Residential Code and are required to go and inspect the unit and issue a report that the building is either safe or unsafe. If it is unsafe, then they are required to issue a report stating what needs to be fixed.

But when they get into running a program on a resale basis or an annual inspection basis, it's not authorized by Act 230 and they have to adopt it by ordinance. In that case, Mr. Lehman believes it will be the Bureau's opinion that they have to bring it before the Commission for your approval.

13. ADJOURNMENT

At 11:25 a.m., a **MOTION** was made by Commissioner Elliott and supported by Commissioner Raukar to adjourn the meeting. **MOTION CARRIED.**



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

AGENDA

December 19, 2007
10:00 a.m.

APPROVED

1. Call to Order and Determination of Quorum
2. Approval of Agenda (pages 1-2)
3. Approval of Minutes — October 10, 2007 (pages 3-27)
4. Manufactured Housing Commission Fees Financial Report – FY 2007 4th Quarter
(Handout available at meeting)
5. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

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6. Imposition of Penalties
 - a. College Park Mobile Home Community and Roy N. Gruenburg, Owner and Operator (pages 28-48)
 - b. Patricia L. Gitler, Sole Proprietor and Operator d/b/a Hunters Creek Estates (pages 49-73)
 - c. Kind Community, Inc., and Deborah L. Kind, President and Operator (pages 74-97)
7. Variances
 - a. Update on Spring Valley Mobile Home Park (Kent County)
8. Committee Reports
9. Old Business
10. New Business
 - a. Election of Officers
 - b. Report on Annual Inspections of Manufactured Home Communities
 - c. License Approval (page 98)
11. Executive Director's Report
12. Other Business
13. Adjournment



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES
October 10, 2007
10:00 a.m.

APPROVED

MEMBERS PRESENT

Mr. Ronald Blank, Vice-Chairperson
Ms. Betty Blackburne
Ms. Kathy Edwards-Johnson
Ms. Carole Elliott
Ms. Mary Fowlie

Mr. Kevin Gillette
Mr. David Hagey
Mr. Mark Raukar
Mr. Jerome Ruggirello

MEMBERS ABSENT

Ms. Brenda Abbey – Excused
Ms. Lisa Szymanski – Excused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Mark Sisco, Deputy Director, Bureau of Construction Codes (BCC)
Mr. Larry Lehman, Chief, Building Division, BCC
Mr. Charles Curtis, Assistant Chief, Building Division, BCC
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC
Mr. Kevin DeGroat, Regulation Specialist, Office of Local Government & Consumer Services (OLGCS), BCC
Mr. Bill DeTemple, Analyst, OLGCS, BCC
Mr. Irvin Poke, Chief, Plan Review Division, BCC

OTHERS IN ATTENDANCE

Mr. Tim DeWitt, MMHA
Mr. Walter Elliott, Swan Creek MHP
Ms. Myrtle Frith, Cadgewith Farms
Mr. Lynwood Wellhausen, Rudgate Communities

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Signatures

Drafted by: Brenda S. Caron Date: October 19, 2007
Brenda S. Caron, Secretary
Building Division

Approved by the Manufactured Housing Commission on: December 19, 2007

Ronald A. Blank
Ronald A. Blank, Vice-Chairperson
Manufactured Housing Commission

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

BCC Complaint No. AIR 07-0777

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

Manufactured Housing Community License No. P000990

(Respondent)

**FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE CIVIL FINE,
TO IMPOSE REVOCATION OF LICENSE,
AND TO IMPOSE ORDER OF RESTITUTION
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME
FINAL ORDER

(hereafter the Order Finding Facts and Violations) on November 20, 2007, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on December 19, 2007, was served on the Respondent by certified mail on November 27, 2007, at 1111 Catherine Street, Big Rapids, Michigan 49307 and 25501 Van Dyke, Center Line, Michigan 48015. The same was received by the Respondent on or about November 29, 2007; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on December 19, 2007, reviewed the Order Finding Facts and Violations, which is appended hereto and incorporated herein by reference; and

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1) (g) of the Act, that RESPONDENT SHALL, within 60 days of the Commission's issuance of this Order:

- a. Remit to the Bureau an administrative fee in the amount of One Thousand Dollars (\$1,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

Respondent's failure to comply with Item (a) above shall result in imposition of the following additional penalties:

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME
FINAL ORDER

- b. In addition to the civil fine in the amount of One Thousand Dollars (\$1,000.00) as prescribed in Item (a) above, a civil fine in the amount of Four Thousand Dollars (\$4,000.00).
- c. Revocation of Respondent's Manufactured Housing Community License Number P000990.
- d. Revocation of Respondent's Manufactured Housing Community License Number P000990 shall automatically require the Respondent and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the last paragraph on page six of the September 20, 2007, Order to Show Cause.
- e. Revocation of Respondent's Manufactured Housing Community License Number P000990 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.
- f. Respondent shall make full restitution to all existing College Park Mobile Home Community residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondent after Respondent's Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38(2) of the Act, because Respondent has engaged in acts or practices constituting violations of the Act or Rules or an Order issued thereunder, that the Respondent CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should the Respondent qualify for and obtain a Manufactured Housing Community License after the effective date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED **IF** THE RESPONDENT

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME
FINAL ORDER

FAILS TO COMPLY WITH THE ACT. Revocation of the license shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed, if deemed necessary by the Department.

IT IS FURTHER ORDERED, pursuant to Section 43(1) (h) of the Act, that if Respondent's Manufactured Housing Community License is revoked, under the limitation described in the preceding paragraph, the RESPONDENT SHALL MAKE FULL RESTITUTION to all customers to whom the Respondent has not delivered contractually stipulated services, of One Hundred Percent (100%) of the value of those services after revocation of the license.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

ANY COMMUNICATION regarding this Final Order should be addressed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building Division, Attention: Larry Lehman, Chief, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Chairperson

Dated: 12-19-07

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME
FINAL ORDER

A Copy of this Order was sent by Certified Mail to:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

A Copy of this Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME
FINAL ORDER

Nichole Churches
Michigan Department of Environmental Quality
Water Bureau
Constitution Hall, 2nd Floor South
Lansing, Michigan 48909-8130

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

BCC Complaint No. RC 05-0624

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, Michigan 49342

Manufactured Housing Community License No. P000933

(Respondent)

**AMENDED FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE THE APPOINTMENT OF A RECEIVER,
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

(hereafter the Order Finding Facts and Violations) on December 21, 2005, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on February 8, 2006, was served on Respondent by certified mail on or about January 4, 2006, at Mail Box 01, Rodney, Michigan 49342 and at 11334 120th Avenue, Rodney, Michigan 49342. The same was received by Respondent on or about January 6, 2006; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on February 8, 2006, reviewed an Order Finding Facts and Violations and issued a Final Order, which are appended hereto and incorporated herein by reference; and


WHEREAS, due to the Respondent's continuing failure to comply with all of the conditions of the February 8, 2006, Order, the Manufactured Housing Commission now votes unanimously, pursuant to Section 43(1) (g) of the Act, to appoint a Receiver to administer the operation of Hunters Creek Estates.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

ANY COMMUNICATION regarding this Final Order should be addressed to the
Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building
Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Chairperson

12-19-07

Date

A Copy of this Final Order was sent by Certified Mail to:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, Michigan 49342

A Copy of this Final Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Nichole Churches
Michigan Department of Environmental Quality
Water Bureau
Constitution Hall, 2nd Floor South
P.O. Box 30603
Lansing, Michigan 48909-8130

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

BCC Complaint No. AIR 07-0527

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Manufactured Housing Community License No. P001310

(Respondents)

**FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE CIVIL FINE,
TO IMPOSE REVOCATION OF LICENSE,
AND TO IMPOSE ORDER OF RESTITUTION
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINAL ORDER

(hereafter the Order Finding Facts and Violations) on December 4, 2007, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on December 19, 2007, was served on Respondents by certified and first class mail on December 6, 2007, at 5201 Dort Highway, Flint, Michigan 48505; P.O. Box 1032, Howell, Michigan 48844; and 529 Tyler (United Services & Associates, Inc.), Ypsilanti, Michigan 48198; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on December 19, 2007, reviewed the Order Finding Facts and Violations, which is appended hereto and incorporated herein by reference; and

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1) (g) of the Act, that RESPONDENTS SHALL, within 60 days of the Commission's issuance of this Order:

- a. Return to the Bureau all requested documentation described in the attached June 25, 2007, Bureau Order to Answer (**Exhibit B**).
- b. Remit to the Bureau an administrative fee in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINAL ORDER

Respondents' failure to comply with Items (a) and (b) above shall result in imposition of the following additional penalties:

- c. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item (b) above, a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).
- d. Revocation of Respondents' Manufactured Housing Community License Number P001310.
- e. Revocation of Respondents' Manufactured Housing Community License Number P001310 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the last paragraph on page six of the August 20, 2007, Order to Show Cause.
- f. Revocation of Respondents' Manufactured Housing Community License Number P001310 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.
- g. Respondents shall make full restitution to all existing Kind Community, Inc., residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38(2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act or Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINAL ORDER

LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED IF RESPONDENTS FAIL TO COMPLY WITH THE ACT. Revocation of the license shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed, if deemed necessary by the Department.

IT IS FURTHER ORDERED, pursuant to Section 43(1) (h) of the Act, that if Respondents' Manufactured Housing Community License is revoked, under the limitation described in the preceding paragraph, RESPONDENTS SHALL MAKE FULL RESTITUTION to all customers to whom Respondents have not delivered contractually stipulated services, of One Hundred Percent (100%) of the value of those services after revocation of the license.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

ANY COMMUNICATION regarding this Final Order should be addressed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Chairperson

Dated: 12-19-07

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINAL ORDER

A Copy of this Order was sent by Certified Mail to:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Deborah L. Kind
United Services & Associates, Inc.
529 Tyler
Ypsilanti, Michigan 48198

A Copy of this Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINAL ORDER

Nichole Churches
Michigan Department of Environmental Quality
Water Bureau
Constitution Hall, 2nd Floor South
Lansing, Michigan 48909-8130

PENDING LICENSE APPROVALS
DECEMBER 19, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Parkhurst Homes, Inc. 1540 S. Lapeer Road Oxford, MI 48371 David G. Yezbick, Sr., Operator	Hunter David Properties LLC 11219 Bayberry Drive Bruce Twp., MI 48065 David Tousignant, Operator
Leland McPherson Lee's Mobile Home and Manufactured Home Repair and Maintenance 92 Alans Drive Fowlerville, MI 48836	Delhi Manor Mobile Home Park LLC 4075 E. Holt Road Holt, MI 48842 Milton Goodman, Operator
Richard House H & H Mobile Home Service 2900 18 Mile Road Cedar Springs, MI 49319	Doane Engineering LLC Hollyfield Homes 2801 Rogue River Drive Belmont, MI 49306 Roger L. Doane, Operator
Premier Manufacture Home Services LLC 5724 Calhoun Dearborn, MI 48126 Affif A. Faissal, Operator	Edwardsburg Estates MHC, LLC 69425 M-62 South Edwardsburg, MI 49112 Brian J. Smith, Operator
Value Homes LLC 5330 Glyshaw Road St. Clair, MI 48049 Steven P. Combs, Operator	Patty Tuffelmire 1247 N. White Street, NW Grand Rapids, MI 49534
Ralph E. Scofield Scofield Management 5330 Glyshaw Road St. Clair, MI 48049	
Christopher Escue Escue Service 1283 Henri Newport, MI 48166	
Cedar Setup Crew 400 Susan Cedar Springs, MI 49319 John A. Lilly, Operator	
Michelle Jackson Jackson Construction 1078 Gibbs Road Bronson, MI 49028	

ADDITIONAL PENDING LICENSE APPROVALS
DECEMBER 19, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Joel E. Reinoehl 19013 Fawn River Road, Lot 1 White Pigeon, MI 49099	Evergreen Village Sales, LLC 11 Evergreen Drive St. Louis, MI 48880 William T. Connell, Operator
	Lake Villa Oxford Associates, LLC 1940 E. Lakeville Road Oxford, MI 48371 Kenneth C. Burnham, Operator

Mobile Home Code Fund Revenue/Expenditure Report

FY 2008 - 1st Quarter

Program Revenue

Licenses	\$ 25,542
Permits	\$ 1,064
Titles	\$ 585,068
Other:	
Publication & Copy Revenue	\$ 50
Land Sales-App. for Registration	\$ -
HUD Reimb. of Insp. Costs	\$ -
Mfrd. Housing Commission Fines	\$ 3,000
Common Cash Interest	\$ -
RED-DCS 1%	\$ -
RED-Dept of State	\$ -
RED-AG	\$ -

TOTAL REVENUE **\$ 614,724**

Program Expenditures

Salaries	\$ 200,558
Ret., Longev. & Ins.	\$ 128,794
CSS&M & Equipment	\$ 571
Travel	\$ 1,151
Sub-Total Direct Expenditures	\$ 331,074
Indirect Dept. Expenditures:	
Info Technology Services	\$ -
Rent	\$ 8,024
Property Management	\$ 2,454
Executive Director Programs	\$ -
Administrative Services	\$ -

TOTAL EXPENDITURES **\$ 341,552**

1st Quarter Difference =

\$273,172

FY 2007 Year-End Totals

Program Revenue

Licenses	\$ 214,268
Permits	\$ 5,640
Titles	\$ 2,451,682
Other:	
Publication & Copy Revenue	\$ 518
Land Sales-App. for Registration	\$ -
HUD Reimb. of Insp. Costs	\$ 18,015
Mfrd. Housing Commission Fines	\$ 6,365
Common Cash Interest	\$ 50,074
RED-DCS 1%	\$ (16,159)
RED-Dept of State	\$ (287,571)
RED-AG	\$ (37,931)

TOTAL REVENUE **\$ 2,404,901**

Program Expenditures

Salaries	\$ 799,092
Ret., Longev. & Ins.	\$ 383,280
CSS&M & Equipment	\$ 354,438
Travel	\$ 2,675
Sub-Total Direct Expenditures	\$ 1,539,484
Indirect Dept. Expenditures:	
Info Technology Services	\$ 72,400
Rent	\$ 44,600
Property Management	\$ 10,733
Executive Director Programs	\$ 11,029
Administrative Services	\$ 191

TOTAL EXPENDITURES **\$ 1,678,437**

FUND BALANCE (End of FY07) =

\$1,629,683

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

BCC Complaint No. AIR 07-1052

(Community Address)

William G. Taylor, Resident Agent and Operator
Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

(Community Mailing Address)

Manufactured Housing Community License No. P000548

(Respondents)

_____ /

Issued and entered

this 15th day of January, 2008

by Scott Fisher, Director

Office of Local Government and Consumer Services

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER TO CEASE AND DESIST, AND
RECOMMENDATION TO IMPOSE PENALTIES
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560 (101) et seq.; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

125.2301 et seq.; MSA 19.855 (101) et seq. (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued an Order To Show Cause Why An Order Revoking Manufactured Home Community License; Imposing a Civil Fine; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act (hereafter the Order to Show Cause) on November 19, 2007. A copy of the Order to Show Cause and attachments is appended hereto (*Exhibit A*) and is incorporated herein by reference; and

WHEREAS, the Order to Show Cause was sent by certified mail to the Respondents on November 20, 2007, at the addresses listed on page 8 of that Order. A certified mail card from an envelope addressed to Respondents at 753 East Howard City Edmore Road, Edmore, Michigan 48829, signed by Brittany Terry on December 5, 2007, was received by the Bureau on December 6, 2007. Mr. William G. Taylor, Respondent Operator, met with Mr. Kevin DeGroat, Regulation Specialist, at Bureau offices on January 4, 2008, to discuss payment of the fee cited in the Order, but did not produce evidence indicating compliance with the Order. The Bureau, on November 20, 2007, also served a copy of the Order to Show Cause upon the Respondents by serving the Manufactured Housing Commission with a copy of the Order to Show Cause, pursuant to Section 35 of the Mobile Home Commission Act and

WHEREAS, more than 15 days have elapsed since the date of receipt of the Order to Show Cause and the Respondents' have failed to provide written evidence establishing full compliance with the Order, or reasonable efforts to comply with the Order.

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with purposes fairly intended by the policy and provisions of the Act; and, therefore, pursuant to Section 39 (1) of the Act, the Bureau makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates (Respondents), is a Limited Liability Company organized and existing under the laws of the State of Michigan. Respondents' mailing address is 4743 Grandwoods, Lansing, Michigan 48917. William G. Taylor is the Resident Agent for Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates.

2. Respondents are engaged in the business of owning and operating a manufactured housing community located at 753 East Howard City Edmore Rd., Edmore, Michigan 48829, and hold manufactured housing community license P000548 for the 2006-2009 licensing years. William G. Taylor is the Operator for Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates.

3. A further history of this case from May 24, 2007 through October 30, 2007, is outlined in Items 3 through 6 (pp. 2-3) of the attached Order to Show Cause. Section 38 (1) (b) of the Act authorizes the Department to issue an Order to Show Cause why an order imposing sanctions or penalties allowed under this Act should not be issued by the Manufactured Housing Commission if a condition lawfully imposed under this Act was violated. As a condition of licensing pursuant to Executive Order No. 2006-16 and Sections 16 (3) and 17 (1) of the Act, the

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

Department of Labor and Economic Growth is required to conduct annual physical inspections of mobile home parks and seasonal mobile home parks and grant certificates of compliance for the purpose of licensing.

4. Based on the inspection of the Respondents' community completed on May 24, 2007, and the Bureau's failure to receive, to date, from Respondents complete documentation of their correction of the violations cited in the corresponding inspection report and the Bureau's August 29, 2007, Order to Answer a Request for Information; October 2, 2007, Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act; and aforementioned Order To Show Cause, the Respondents have failed to conduct their business in compliance with the Act, Rules, or an Order issued pursuant to the Act.

CONCLUSIONS OF LAW

5. Respondents' failure to comply with a rule, order, or condition lawfully imposed under the Act (being the correction of the Manufactured Housing Commission Rule violations cited in the inspection report and corresponding Orders) is a violation of Section 38 (1) (b) of the Act.

IT IS HEREBY ORDERED that this Order shall be forwarded to the Manufactured Housing Commission for the consideration of the imposition of any Penalty as may be provided in Section 43 (1) of the Act and issuance of a Final Order in accordance with Section 85 of the Administrative Procedures Act of 1969.

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

IT IS HEREBY RECOMMENDED that the Manufactured Housing Commission impose the following penalties:

1. Within sixty (60) days from the date of the Final Order, Respondents shall complete the following actions:
 - a. Return to the Bureau work orders and/or photographs confirming correction of all violations described in the attached May 24, 2007, Bureau inspection report accompanying the August 29, 2007, Bureau Order to Answer. (*Exhibit B*)
 - b. Remit to the Bureau a civil fine in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.
2. Respondents' failure to comply with Item 1 above shall result in imposition of the following additional penalties:
 - a. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item 1 (b) above, a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).
 - b. Revocation of Respondents' Manufactured Housing Community License Number P000548.
 - c. Revocation of Respondents' Manufactured Housing Community License Number P000548 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the first paragraph on page seven of the November 19, 2007, Order to Show Cause.
 - d. Revocation of Respondents' Manufactured Housing Community License Number P000548 should automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

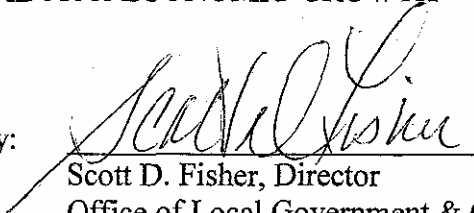
- e. Respondents shall make full restitution to all existing Edmore Estates' residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38 (2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act and Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

ANY COMMUNICATION regarding this Order should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH

By:


Scott D. Fisher, Director
Office of Local Government & Consumer Services
P.O. Box 30254
Lansing, Michigan 48909

Dated: 01/25/08
Lansing, Michigan

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
FINDINGS OF FACT

A Copy of this Order was sent by Certified and First Class Mail to:

Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

(Community Address)

William G. Taylor, Resident Agent and Operator
Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

(Community Mailing Address)

A Copy of this Order was sent by Interdepartmental Mail to:

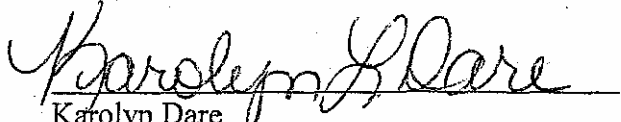
Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Order To Show Cause Why An Order Revoking Manufactured Housing Community License; Imposing A Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 20th day of November, 2007.


Karolyn Dare
Bureau of Construction Codes

Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

(Community Address)

William G. Taylor, Resident Agent and Operator
Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

(Community Mailing Address)

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES

In the Matter of:

Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

BCC Complaint No. AIR 07-1052

(Community Address)

William G. Taylor, Resident Agent and Operator
Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

(Community Mailing Address)

Manufactured Housing Community License No. P000548

(Respondents)

_____ /

Issued and entered
this 19th day of November, 2007
by Scott Fisher, Director
Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED
HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE
AND DESIST SHOULD NOT BE ISSUED
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department),
Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures
Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560 (101) et seq, the
Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

(101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules), says:

FACTS COMMON TO ALL COUNTS

1. Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates (Respondents), is a Limited Liability Company organized and existing under the laws of the State of Michigan. Respondents' mailing address is 4743 Grandwoods, Lansing, Michigan 48917. William G. Taylor is the Resident Agent for Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates.

2. Respondents are engaged in the business of owning and operating a manufactured housing community located at 753 East Howard City Edmore Rd., Edmore, Michigan 48829, and hold manufactured housing community license P000548 for the 2006-2009 licensing years. William G. Taylor is the Operator for Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates.

3. On May 24, 2007, a state inspector from the Bureau of Construction Codes completed an inspection of Respondents' manufactured housing community. The purpose of the inspection was to determine compliance with the Act and the Rules, pursuant to which Respondents shall comply with to be certified for licensing and operate as a community.

4. On June 25 and August 1, 2007, Bill DeTemple, Analyst, Office of Local Government and Consumer Services, sent correspondence to the Respondents establishing 30-day and 15-day response deadlines, respectively, for providing the Bureau evidence that it had corrected all violations indicated in the Bureau's May 24, 2007, inspection report, which was

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

enclosed with both requests. After receiving no response to, or compliance with these letters, the Bureau sent to Respondents on August 29, 2007, an Order to Answer a Request for Information requesting, within 10 business days of receipt, documentation of full compliance requested in the aforementioned report and letters, which were again attached as enclosures. However, the Bureau has, to date, received from Respondents no compliance with, or response to this Order to Answer. Specifically, Respondents have yet to correct or secure Manufactured Housing Commission variances for violations of Rules R125.1701 (2) [stop signs]; R125.1710 (2) [electrical service]; R125.1947a (4) [spacing]; and R325.3371 to R325.3374 [general operation, maintenance and safety].

5. After failing to obtain Respondents' full compliance, the Bureau issued a Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act (hereafter the Statement of Intent). The Bureau issued and sent this Statement of Intent to the Respondents by certified mail on October 4, 2007. A copy of the Statement of Intent was also delivered to the Bureau's Building Division and licensing agent.

6. Respondents failed to attend the scheduled compliance conference proposed in the Statement of Intent to commence at the Bureau's offices on October 30, 2007, at 10:00 a.m., provide evidence of compliance, or provide a required written response within 15 days of receiving the Statement of Intent.

Accordingly, the Respondents are in violation of the following:

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

COUNT I

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A
REQUEST FOR INFORMATION**

7. The department may inspect any premises licensed under this act for violation of this act, the code, or rules promulgated pursuant to the act. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

8. On August 29, 2007, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act was sent to Respondents. Respondents failed to file a response to the request for information.

9. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (7) and Sections 36 and 38(1) (b) of the Act.

COUNT II

**FAILURE TO CORRECT THE RULE VIOLATIONS NOTED IN
THE MANUFACTURED HOME COMMUNITY
ANNUAL INSPECTION REPORT**

10. As a condition of licensing pursuant to Executive Order No. 2006-16 and Sections 16 (3) and 17 (1) of the Act, the Department of Labor and Economic Growth is required to conduct annual physical inspections of mobile home parks and seasonal mobile home parks and grant certificates of compliance for the purpose of licensing.

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

11. On May 24, 2007, the Bureau of Construction Codes, Building Division, issued a Manufactured Home Community Annual Inspection Report regarding violations disclosed during the annual inspection of Respondents' residential community.

12. Respondents do not have filed with the Bureau verification that all of the rule violations noted in the Manufactured Home Community Annual Inspection Report, dated May 24, 2007, which is attached as *Exhibit A*, have been corrected.

13. Respondents' failure to correct all rule violations noted in the Manufactured Home Community Annual Inspection Report is a violation of Section 38 (1) (b) of the Act.

IT IS THEREFORE ORDERED, pursuant to Sections 38 (1) (b) and 38 (2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above-named Respondents SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

This Order to Show Cause offers Respondents the final opportunity to resolve outstanding Counts I and II of this Order to Show Cause by providing evidence to the Bureau documenting full compliance with the following requirements within 15 days of receipt of this Order to Show Cause:

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

- a. Return to the Bureau all requested documentation described in the attached August 29, 2007, Statement of Intent (*Exhibit B*).
- b. Remit to the Bureau an administrative fee in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order to Show Cause, then the matter shall be set down for a hearing to commence within forty-five (45) days after your receipt of this Order to Show Cause, unless you and the Bureau consent to a later date.

BE ADVISED THAT ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909. After a hearing, an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.

BE ADVISED that it is important you understand that any statements which you present in a written response to this Order to Show Cause may be used against you at a formal proceeding arising from this matter. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, or assist you

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

at any appellate proceeding regarding the Manufactured Housing Commission's determination on this matter.

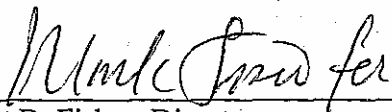
BE ADVISED that a Findings of Fact and Conclusions of Law, followed by a Final Order, shall be entered in this matter to any Respondents who do not comply with this Order to Show Cause within 15 days of receipt, pursuant to Section 39 (1) of the Act. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

BE FINALLY ADVISED that a licensee shall not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule 214b.

ANY COMMUNICATION regarding this Order to Show Cause should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By:



Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Dated: 11-19-07
Lansing, Michigan

WILLIAM G. TAYLOR, RESIDENT AGENT AND OPERATOR
TAYLOR PROPERTIES OF LANSING, L.L.C., D/B/A
EDMORE ESTATES
ORDER TO SHOW CAUSE

A Copy of this Order to Show Cause was sent by Certified and First Class Mail to:

Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

(Community Address)

William G. Taylor, Resident Agent and Operator
Taylor Properties of Lansing, L.L.C., d/b/a
Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

(Community Mailing Address)

A Copy of this Statement of Intent was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Manufactured Home Community Annual Inspection Report
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
Building Division
P.O. Box 30254, Lansing, MI 48909
517-241-8317
Authority: 1987 PA 95

Exhibit **B**

NAME OF MANUFACTURED HOME COMMUNITY EDMORE ESTATES	COUNTY Montcalm	LICENSED SITES 12	COMMUNITY LICENSE NO. P000548
COMMUNITY ADDRESS 753 EAST HOWARD CITY EDMORE RD	CITY EDMORE	ZIP CODE 48829	
NAME OF COMMUNITY REPRESENTATIVE WILLIAM TAYLOR	REPRESENTATIVE'S TELEPHONE NUMBER (include Area Code) 517-605-8372	DATE OF INSPECTION 3/24/07	

Place a check mark in the appropriate box. Checking "YES" indicates compliance with the rules.

		COMPLIES	
		YES	NO
1. Rule 701(1)	Speed limit signs (maximum 15 mph) are posted on internal roads.	X	
2. Rule 701(2)	There are regulation stop signs at intersections of community egress roads and public roads.		X
3. Rule 701(3)	Internal roads are identified by street signs at all intersections. <i>N/A</i>		
4. Rule 701(4)	There are "Children Playing" signs located on all internal roads adjacent to recreational and playground areas. <i>N/A</i>		
5. Rule 705(1)	Playground, recreational and athletic areas are free of safety hazards. <i>N/A</i>		
6. Rule 708(1)	All parts of community owned buildings, structures and electrical systems (excluding pedestals) are in good repair. <i>N/A</i>		
7. Rule 709	Community roads, walkways and driveways are maintained in a sound condition.	X	
8. Rule 710(1)	Disconnected fuel lines on vacant sites are locked off or plugged to prevent leakage.	X	
9. Rule 710(2)	Disconnected electrical service lines on vacant sites removed from sites and site circuit breaker master switches are off or master fuses removed.		X
10. Rule 710(2)	Circuit breaker or fuse box protective covers on vacant sites are secured.		X
11. Rule 947a(4)	There are 4 foot wide (not necessarily straight) pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet. (For communities issued a permit to construct prior to February 28, 1979)		X
12. Rule 41, 47, 48 & 49	Drainage: Street drainage adequate, lot drainage adequate.	X	
13. Rule 51 & 53	Garbage and Rubbish: Storage/disposal, maintenance of area, dumpster (suitable foundation).	X	
14. Rule 61 & 63	There is no evidence of an insect and rodent control problem.	X	
15. Rule 71, 72 & 73	General Operation, maintenance and safety: No health or safety hazards, animal control.		X

Recommendation Regarding Certification of Compliance:

- ☐ Substantial Compliance
☒ Substantial Compliance - Follow-up Action is Recommended
☐ Not in Substantial Compliance and Denial of Certification is Recommended

Comments: (Use this space for additional details (such as locations) relating to violations listed above)

(2) WEST ENTRANCE LACKS STOP SIGN (3) PARK CONSISTS OF ONE CIRCLED DRIVE (4) NO PLAY AREA AT PARK
 (6) NO COMMUNITY BUILDINGS (9) (10) SEE ATTACHED LOT LIST (11) LOTS 10, 11 LACK 4' CLEAR SPACE DUE
 TO STORAGE BUILDING

SIGNATURE OF COMMUNITY REPRESENTATIVE	TELEPHONE NUMBER (include Area Code)	DATE
SIGNATURE OF INSPECTOR <i>David J. [Signature]</i>	TELEPHONE NUMBER (include Area Code) 989 838 2601	DATE 3/24/07

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LOT # 8	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)
LOT # 5	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)
LOT #	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)
LOT #	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)
LOT #	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)
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LOT #	8. RULE 710(1)	9. RULE 710(2)	10. RULE 710(2)

ALL OF THESE SITES
ARE VACANT.

A CIRCLED ITEM
INDICATES
NON-COMPLIANCE.

ANY QUESTIONS??
CALL 989.838.2601
MECH. INSPECTOR
DAVID J. SMITH

COMMUNITY
LICENSE NO. #
POD 0548



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Mr. William G. Taylor, Operator
Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates
4743 Grandwoods
Lansing, Michigan 48917

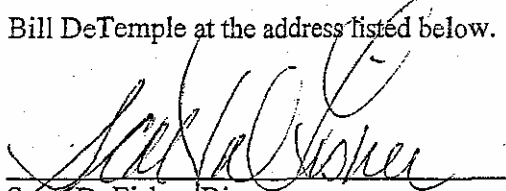
Taylor Properties of Lansing, L.L.C., d/b/a Edmore Estates
753 East Howard City Edmore Rd.
Edmore, Michigan 48829

License Number: P000548
Case Number: AIR 07-1052

ORDER TO ANSWER A REQUEST FOR INFORMATION

PURSUANT TO THE MOBILE HOME COMMISSION ACT

IT IS HEREBY ORDERED, Pursuant to Section 36 of the Mobile Home Commission Act, 1987, P.A. 96, as amended; MCLA 125.2301 et seq., MSA 19.885(101) et seq., and Rule R125.192a of the Michigan Administrative Code, that the above named Respondent file, within **10 business days** of receipt of this Order, a response to the request for information, appended hereto, which states the facts and circumstances concerning the matters raised in the request for information. Please direct your response to Bill DeTemple at the address listed below.


Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909-8203

August 29, 2007

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov

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**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Patricia Gitler, President and Operator
Michigan Home Solutions, Inc.
1251 Otter Avenue
Waterford, Michigan 48328-4758

BCC Complaint No. D 07-1126

(Operator's Address)

Michigan Home Solutions, Inc.
6743 Highland Road
Waterford, Michigan 48327

(Retail Location)

Manufactured Housing Retailer License No. D002126-02

(Respondents)

_____ /

Issued and entered
this 25th day of January, 2008
by Scott Fisher, Director
Office of Local Government and Consumer Services

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER TO CEASE AND DESIST, AND
RECOMMENDATION TO IMPOSE PENALTIES
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560 (101) et seq.; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act), and the Rules promulgated under

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

the Act (hereafter the Rules), issued an Order To Show Cause Why An Order Revoking Manufactured Housing Retailer License; Imposing A Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act (hereafter the Order to Show Cause) on November 29, 2007. A copy of the Order to Show Cause is attached hereto (***Exhibit A***) and is incorporated herein by reference; and

WHEREAS, the Order to Show Cause was sent by certified mail to the Respondents on November 30, 2007, at the addresses listed on page 8 of that Order. The Bureau, on November 30, 2007, also served a copy of the Order to Show Cause upon the Respondents by serving the Manufactured Housing Commission via the Bureau with a copy of the Order to Show Cause, pursuant to Section 35 of the Mobile Home Commission Act and

WHEREAS, more than 15 days have elapsed since issuance of the Order to Show Cause and the Respondents have failed to provide within that time and, to date, (1) evidence establishing Respondents' full compliance with the Order, or (2) evidence of Respondents' reasonable efforts to comply with the Order. Certified packages the Bureau addressed and mailed to Respondents containing copies of these Orders were received from the U.S. Postal Service by the Bureau on December 28, 2007, stamped, "Return to Sender, Unclaimed."

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with purposes fairly intended by the policy and provisions of the Act; and, therefore, pursuant to Section 39(1) of the Act, the Bureau makes the following findings of fact and conclusions of law:

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

FINDINGS OF FACT

1. Michigan Home Solutions, Inc., (Respondents) was a corporation organized and existing under the laws of the State of Michigan. The address for Respondents' Operator is 1251 Otter Avenue, Waterford, Michigan 48328-4758. Patricia Gitler is the President of Michigan Home Solutions, Inc.

2. Respondents were engaged in the business of owning and operating a manufactured housing retail location at 6743 Highland Road, Waterford, Michigan 48327, and held Manufactured Housing Retailer License No. D002126-02 for the 2005-2006 licensing year. No termination statement has been filed and Respondents failed to file the 2006-2009 license renewal application. A blank termination statement form was mailed to the Respondents. Patricia Gitler is the Operator of Michigan Home Solutions, Inc.

3. Items 3 through 9 on pages 2 through 4 of the attached Order To Show Cause detail the Bureau's efforts to obtain Respondents' compliance with timely response requirements discussed in the following first Conclusion of Law in *Item 6* below. Items 10 through 15 of that Order chronicle the Bureau's attempts to secure Respondents' compliance with requirements to file title applications and provide proper contractual language on retail Purchase Agreements, which are also outlined in the succeeding two Findings of Fact and Conclusions of Law.

4. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

licensee does not make the required statement the department may issue an order directing a response by the licensee.

5. On September 10, 2007, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act was sent to Respondents. Respondents failed to file a response to the request for information.

CONCLUSIONS OF LAW

6. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (8) and Sections 36 and 38 (1) (b) of the Act.

FINDINGS OF FACT

7. Respondents sold the following manufactured home to the following purchaser, on or about the date indicated:

PURCHASER & MOBILE HOME I.D. #	PRICE	SALES TAX	TITLE FEE	CLOSING DATE
William M. Wearne 1988 Patriot PBI988AB	\$12,460.00	\$747.60	\$45.00	09-30-2006

8. At the time of the sale, Respondents failed to prepare and file with the Department or its authorized representative, the Application for Certificate of Manufactured Home Ownership.

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

CONCLUSIONS OF LAW

9. Respondents' failure to prepare and file the Application for Certificate of Manufactured Home Ownership (Form BCC-944) is a violation of Rules 302 (1) and 402 (2) and Sections 30a (1) and 38 (1) (b) of the Act.

FINDINGS OF FACT

10. The front of each purchase agreement shall contain the following Seven Day Binding Date Statement in not less than 8-point, boldface, all caps type:

"Seven days after the purchaser receives a legible copy of the executed purchase agreement, or if any time within the 7 days an application for a certificate of manufactured home ownership is fully executed, the sale is final and the retailer is not obligated to refund the consumer deposit if the purchaser subsequently cancels the agreement. If the purchaser elects to cancel the purchase agreement within the 7 day limit and an application for a certificate of manufactured home ownership has not been fully executed, the purchaser shall notify the retailer in writing by certified mail postmarked before the end of the seventh day to be eligible for full refund of the consumer deposit."

11. The purchase agreement between Respondents and William M. Wearne does not contain the correct Seven Day Binding Date Statement.

CONCLUSIONS OF LAW

12. Respondents' failure to include the correct binding date statement on the purchase agreement is a violation of Rule 403 (13) and Section 38 (1) (b) of the Act.

IT IS HEREBY FOUND that Respondents engaged in acts or practices constituting violations of the Act, Rules or an Order issued under the Act.

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

IT IS HEREBY ORDERED that this Findings of Fact Order shall be forwarded to the Manufactured Housing Commission for the consideration of the imposition of any Penalty as may be provided in Section 43 (1) of the Act and issuance of a Final Order in accordance with Section 85 of the Administrative Procedures Act of 1969.

IT IS HEREBY RECOMMENDED that the Manufactured Housing Commission impose the following penalties:

1. Within sixty (60) days from the date of the Final Order, Respondents shall complete the following actions:
 - a. Respondents must submit to the Bureau documentation confirming that the violations cited in Counts II and III of the Order to Show Cause issued on November 29, 2007, have been corrected to the Bureau's satisfaction.
 - b. Remit a civil fine in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30254, Lansing, Michigan 48909.
2. Respondents' failure to comply with Item 1 above shall result in imposition of the following additional penalties:
 - a. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item 1 (b) above, a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).
 - b. Revocation of Respondents' Manufactured Housing Retailer License Number D002126-02.
 - c. Revocation of Respondents' Manufactured Housing Retailer License Number D002126-02 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

the time of suspension or revocation, under Rule R125.1214b, as stated in the last paragraph on page 7 of the November 29, 2007, Order to Show Cause.

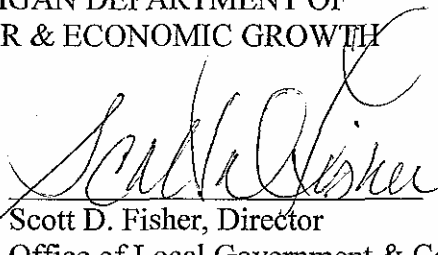
- d. Revocation of Respondents' Manufactured Housing Retailer License No. D002126-02 should automatically result in Respondents being ordered to make full restitution to any of Respondents' customers that have been harmed by Respondents' failure to comply with the Act and Rules, and/or harmed by Respondents' failure to fulfill any outstanding business transactions prior to Respondents ceasing their manufactured housing retailing business operations.

IT IS FURTHER ORDERED, pursuant to Section 38 (2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act and Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

ANY COMMUNICATION regarding this Findings of Fact Order should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH

By:


Scott D. Fisher, Director
Office of Local Government & Consumer Services
P.O. Box 30254
Lansing, Michigan 48909

Dated: 01/25/08
Lansing, Michigan

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
FINDINGS OF FACTS

A Copy of this Findings of Fact Order was sent by Certified and First Class Mail to:

Patricia Gitler, President and Operator
Michigan Home Solutions, Inc.
1251 Otter Avenue
Waterford, Michigan 48328-4758

Michigan Home Solutions, Inc.
6743 Highland Road
Waterford, Michigan 48327

(Retail Location)

William M. Wearne
6655 Jackson Rd., #758
Ann Arbor, Michigan 48103

(Complainant)

A Copy of this Findings of Fact Order was sent by Interdepartmental Mail to:

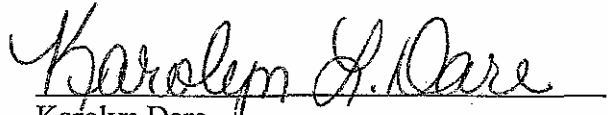
Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Order To Show Cause Why An Order Revoking Manufactured Housing Retailer License; Imposing a Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 30th day of November, 2007.


Karolyn Dare
Bureau of Construction Codes

Patricia Gitler, President and Operator
Michigan Home Solutions, Inc.
1251 Otter Avenue
Waterford, Michigan 48328-4758

(Operator's Address)

Michigan Home Solutions, Inc.
6743 Highland Road
Waterford, Michigan 48327

(Retail Location)

William M. Wearne
6655 Jackson Rd., #758
Ann Arbor, Michigan 48103

(Complainant)

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
P.O. Box 30254
Lansing, Michigan 48909

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Patricia Gitler, President and Operator
Michigan Home Solutions, Inc.
1251 Otter Avenue
Waterford, Michigan 48328-4758

BCC Complaint No. D 07-1126

(Operator's Address)

Michigan Home Solutions, Inc.
6743 Highland Road
Waterford, Michigan 48327

(Retail Location)

Manufactured Housing Retailer License No. D002126-02

(Respondents)

_____ /

Issued and entered
this 29th day of November, 2007
by Scott Fisher, Director
Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED
HOUSING RETAILER LICENSE; IMPOSING A CIVIL FINE; REQUIRING
RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560 (101) et seq, the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855 (101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules), says:

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

FACTS COMMON TO ALL COUNTS

1. Michigan Home Solutions, Inc., (Respondents) was a corporation organized and existing under the laws of the State of Michigan. The address for Respondents' Operator is 1251 Otter Avenue, Waterford, Michigan 48328-4758. Patricia Gitler is the President of Michigan Home Solutions, Inc.

2. Respondents were engaged in the business of owning and operating a manufactured housing retail location at 6743 Highland Road, Waterford, Michigan 48327, and held Manufactured Housing Retailer License No. D002126-02 for the 2005-2006 licensing year. No termination statement has been filed and Respondents failed to file the 2006-2009 license renewal application. A blank termination statement form is enclosed for the Respondents' convenience. Patricia Gitler is the Operator of Michigan Home Solutions, Inc.

3. On July 17, 2007, the Bureau of Construction Codes, Office of Local Government and Consumer Services, received a complaint from William M. Wearne. The information received with the complaint disclosed that Respondents sold a manufactured home to Mr. Wearne and never filed the Application for Certificate of Manufactured Home Ownership (Title Application).

4. On July 24, and August 21, 2007, Bill DeTemple, Analyst, Office of Local Government and Consumer Services, sent 10-business day and 5-business day deadline response letters, respectively, to the Respondents requiring them to file an Application For Certificate Of

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

Manufactured Home Ownership (Title Application) for the Wearne home and send the Bureau a copy of the validated application as proof of compliance.

5. After failing to receive a written response to these letters, the Bureau sent the Respondents a September 10, 2007, Order to Answer a Request for Information directing a response to Mr. DeTemple's July 24 and August 21, 2007, letters.

6. After failing to obtain Respondents' compliance, the Bureau issued a Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Mobile Home Commission Act (hereafter the Statement of Intent). The Bureau issued and sent this Statement of Intent to the Respondents by certified mail on October 19, 2007. A copy of the Statement of Intent was also delivered to the Bureau's Building Division and licensing agent. The Statement of Intent established the Respondents' right to provide documentation of full compliance or Respondents' desire to attend a scheduled informal settlement conference at the Bureau, within 15 days of receipt. A certified mail card signed by a Rosa Gitler at Michigan Home Solutions, Inc., 1251 Otter Avenue, Waterford, Michigan 48328, on October 24, 2007, was received by the Bureau on October 29, 2007.

However, the Respondents failed to attend the November 8, 2007, 10:00 a.m., compliance conference proposed in the Statement and have, to date, failed to provide the Bureau evidence that the following violations have been corrected:

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

COUNT I

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A
REQUEST FOR INFORMATION**

7. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

8. On September 10, 2007, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act, which is attached as *Exhibit A*, was sent to Respondents. Respondents failed to file a response to the request for information.

9. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (8) and Sections 36 and 38 (1) (b) of the Act.

COUNT II

**FAILURE TO PREPARE AND FILE THE APPLICATION FOR
CERTIFICATE OF MANUFACTURED HOME OWNERSHIP
(FORM BCC-944)**

10. Respondents sold the following manufactured home to the following purchaser, on or about the date indicated:

PURCHASER & MOBILE HOME I.D. #	PRICE	SALES TAX	TITLE FEE	CLOSING DATE
William M. Wearne 1988 Patriot PBI988AB	\$12,460.00	\$747.60	\$45.00	09-30-2006

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

11. At the time of the sale, Respondents failed to prepare and file with the Department or its authorized representative, the Application for Certificate of Manufactured Home Ownership.

12. Respondents' failure to prepare and file the Application for Certificate of Manufactured Home Ownership (Form BCC-944) is a violation of Rules 302 (1) and 402 (2) and Sections 30a (1) and 38 (1) (b) of the Act.

COUNT III

FAILURE TO INCLUDE THE CORRECT BINDING DATE STATEMENT ON THE PURCHASE AGREEMENT

13. The front of each purchase agreement shall contain the following Seven Day Binding Date Statement in not less than 8-point, boldface, all caps type:

"Seven days after the purchaser receives a legible copy of the executed purchase agreement, or if any time within the 7 days an application for a certificate of manufactured home ownership is fully executed, the sale is final and the retailer is not obligated to refund the consumer deposit if the purchaser subsequently cancels the agreement. If the purchaser elects to cancel the purchase agreement within the 7 day limit and an application for a certificate of manufactured home ownership has not been fully executed, the purchaser shall notify the retailer in writing by certified mail postmarked before the end of the seventh day to be eligible for full refund of the consumer deposit."

14. The purchase agreement between Respondents and William M. Wearne does not contain the correct Seven Day Binding Date Statement.

15. Respondents' failure to include the correct binding date statement on the purchase agreement is a violation of Rule 403 (13) and Section 38 (1) (b) of the Act.

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

IT IS THEREFORE ORDERED, pursuant to Sections 38(1) (b) and 38 (2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above named Respondents SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING RETAILER LICENSE; IMPOSING A CIVIL FINE; REQUIRING RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

This Order to Show Cause offers the Respondents the final opportunity to resolve outstanding Counts I through III of this Order to Show Cause by providing evidence to the Bureau documenting full compliance with the following requirements within 15 days of receipt of this Order to Show Cause:

- a. Return to the Bureau all requested documentation described in Counts I through III of the attached October 19, 2007, Bureau Notice of Opportunity (*Exhibit B*).
- b. Remit to the Bureau an administrative fee in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909. This fee is due because of Respondents' continuing failure to comply with all of the provisions of the Act and Rules cited in this Order.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order to Show Cause, then the matter shall be set down for a hearing

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

to commence within forty-five (45) days after your receipt of this Order to Show Cause, unless you and the Bureau consent to a later date.

BE ADVISED THAT ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909. After a hearing, an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.

BE ADVISED that it is important you understand that any statements which you present in a written response to this Order to Show Cause may be used against you at a formal proceeding arising from this matter. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, or assist you at any appellate proceeding regarding the Manufactured Housing Commission's determination on this matter.

BE ADVISED that a Findings of Fact and Conclusions of Law, followed by a Final Order, shall be entered in this matter to any Respondent who does not comply with this Order To Show Cause within 15 days of receipt, pursuant to Section 39(1) of the Act. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

BE FINALLY ADVISED that a licensee shall not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule 214b.

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

ANY COMMUNICATION regarding this Order to Show Cause should be addressed to
the Bureau of Construction Codes, Office of Local Government and Consumer Services,
Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: *Mark Fisher for*
Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Dated: 11-29-07
Lansing, Michigan

A Copy of this Order to Show Cause was sent by Certified and First Class Mail to:

Patricia Gitler, President and Operator
Michigan Home Solutions, Inc.
1251 Otter Avenue
Waterford, Michigan 48328-4758

(Operator's Address)

Michigan Home Solutions, Inc.
6743 Highland Road
Waterford, Michigan 48327

(Retail Location)

William M. Wearne
6655 Jackson Rd., #758
Ann Arbor, Michigan 48103

(Complainant)

PATRICIA GITLER, PRESIDENT AND OPERATOR
MICHIGAN HOME SOLUTIONS, INC.
ORDER TO SHOW CAUSE

A Copy of this Order to Show Cause was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
P.O. Box 30254
Lansing, Michigan 48909



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 22, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services *K.D.*

SUBJECT: REQUEST FOR VARIANCE
ALMONT MEADOWS (AM)
(LAPEER CO.)

R125.1920(1)(c), Rule 920(1)(c): Dead end internal roads shall terminate with a turning area radius of 50 feet. Parking shall not be permitted within the turning area, which shall be posted within the turning area.

R125.1905(5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

Attached is a January 11, 2008, variance submission from Mr. Eric A. Iversen, P.E., on behalf of operator Mr. Bill Hubner, requesting that the Commission allow AM, a 178-site project, to construct internal dead-end roads with two 35-foot radii, rather than the 50-foot radii turning circles now required by Rule 920(1)(c) under the August 1, 2003, rules revisions.

AM justifies these reduced standards by contending that the plans for construction of this project were approved before the aforementioned rules were amended in 2003. The Permit to Construct (PTC) issued on November 14, 2002, for AM's plans featuring the proposed turnarounds, expired on November 14, 2007. AM submitted on December 6, 2007, an application for renewal, which prompted the attached response from the Bureau's Plan Review Division. Changing the plans now to accommodate the newer standards would, according to Mr. Iversen, eliminate two available home prospective sites and reduce open space behind sites 22 through 30. Two illustrations of the proposed cul-de-sacs are attached for your review.

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Memorandum to the Commission: Almont Meadows
January 22, 2008
Page Two

The lapse of this PTC necessitates a variance to satisfy the applicant's projected completion target. Under the 10-year clause of Rule 905(5), the PTC, originally issued in 2002, may not be administratively renewable beyond November 2012.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for variances to Rules 920(1)(c) and 905(5), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to revise his construction plans and expedite construction to satisfy a sooner deadline. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the revised rules that became effective on 8/1/03 is a related question the applicant wants you to decide. In any event, if the Commission is convinced by AM's justification, there may be grounds for approving these variances, or modified versions with a shorter timeline between now and November 14, 2012.

KGD/kgd

Attachments

cc: Bill DeTemple, OLGCS (w attach.)
Irvin Poke, BCC, Plan Review (w attach.)
Mark Sisco, Admin. (w attach.)



Stephens Consulting Services, P.C.

ENGINEERING - PLANNING

1549 Haslett Road, P.O. Box 708, Haslett, Michigan 48840

Phone (517) 339-8692 Fax (517) 339-6330

January 11, 2008

Mr. Kevin G. DeGroat
Michigan Department of Labor & Economic Growth
Michigan Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

Re: Almont Meadows, MDL&EG Project No. 75661 - Lapeer

Dear Mr. DeGroat:

On behalf of Almont Meadows, L.L.C. I am requesting a variance to R 125.1920, Rule 920(1)(c) concerning the required radius of a dead end turnaround. The construction plans as previously approved and permitted detailed a 35 feet radius turnaround. The new rules enacted in 2003 require a 50 feet radius for dead end roads. No construction has taken place at this time so there are no park residents to notify. A copy of the correspondence notifying the Almont Township Clerk of the variance request is also enclosed.

I have enclosed 8 1/2 x 11 copies of the two areas on the existing plans with the previously approved cul-de-sacs shown and the 50 feet radius circle sketched in to show the impact in the two cul-de-sac areas. If we are required to conform to the new radius 2 sites will be lost and the open space behind sites 22 through 30 will need to be reduced substantially. We are asking for a variance at both cul-de-sac locations. The detail of the temporary turnaround on sheet 38 will be revised to show the 50 feet radius required. The construction is expected to be complete by the expiration date of the construction permit once extended.

We would like to be placed on the February 13, 2008 Manufactured Housing Commission meeting agenda and will have a representative in attendance as required.

Please contact me if you have any questions. Thank you.

Sincerely,

Eric A. Iversen, P.E.

Encs.

Cc: Christopher Westphal
Bill Hubner



Stephens Consulting Services, P.C.

ENGINEERING - SURVEYING - PLANNING

1549 Haslett Road, P.O. Box 708, Haslett, Michigan 48840

Phone (517) 339-8692 Fax (517) 339-6330

January 11, 2008

Almont Township Clerk
819 N. Main Street
P.O. Box 446
Almont, MI 48003

Re: Almont Meadows Manufactured Housing Community

Dear Township Clerk:

In accordance with the requirement from the Michigan Department of Labor & Economic Growth, you are being notified that the owner of Almont Meadows is requesting the following variances for the community:

1. A variance to Rule 920(1)(c).

The meeting is scheduled to be held February 13, 2008 at 2501 Woodlake Circle, Okemos, MI

If you have any questions, please contact me. Thank you.

Sincerely,

Eric A. Iversen, P.E.

CC- Kevin DeGroat
Christopher Westphal
Bill Hubner



JAN 08 2008

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 7, 2008

Mr. Chris Westphal
1360 Porter Street
Dearborn, MI 48124

RE: Project Number: 75661 - Lapeer
Arch. Project Number: 98-078
Almont Meadows
7193 General Squire
Almont, MI

Construction Type: Renewal
No. of Sites: 178
Site Sequence: 1-178

Dear Mr. Westphal:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2003 Manufactured Housing General Rules - Usha Menon

1. Rule 905(5) - A plan approval and permit to construct is valid for 5 years after the date of issuance and may, upon application, review of the previously approved plans for compliance with these rules, and the approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Previously approved drawings shall comply with the 2003 Manufactured Housing General Rules.

2. Rule 920(1)(c) - Dead end internal roads shall terminate with a turning radius of fifty (50) feet including the temporary turn around.

Cul de sac at Franks Lane and Gust Court. The drawings approved on November 14, 2007 do not show the radius of the cul de sac.

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Mr. Chris Westphal

Page 2

January 7, 2008

3. If compliance cannot be achieved a variance form the Manufactured Housing Commission is required.

Upon receipt of a written satisfactory response to each plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,



Usha Menon, Plan Reviewer

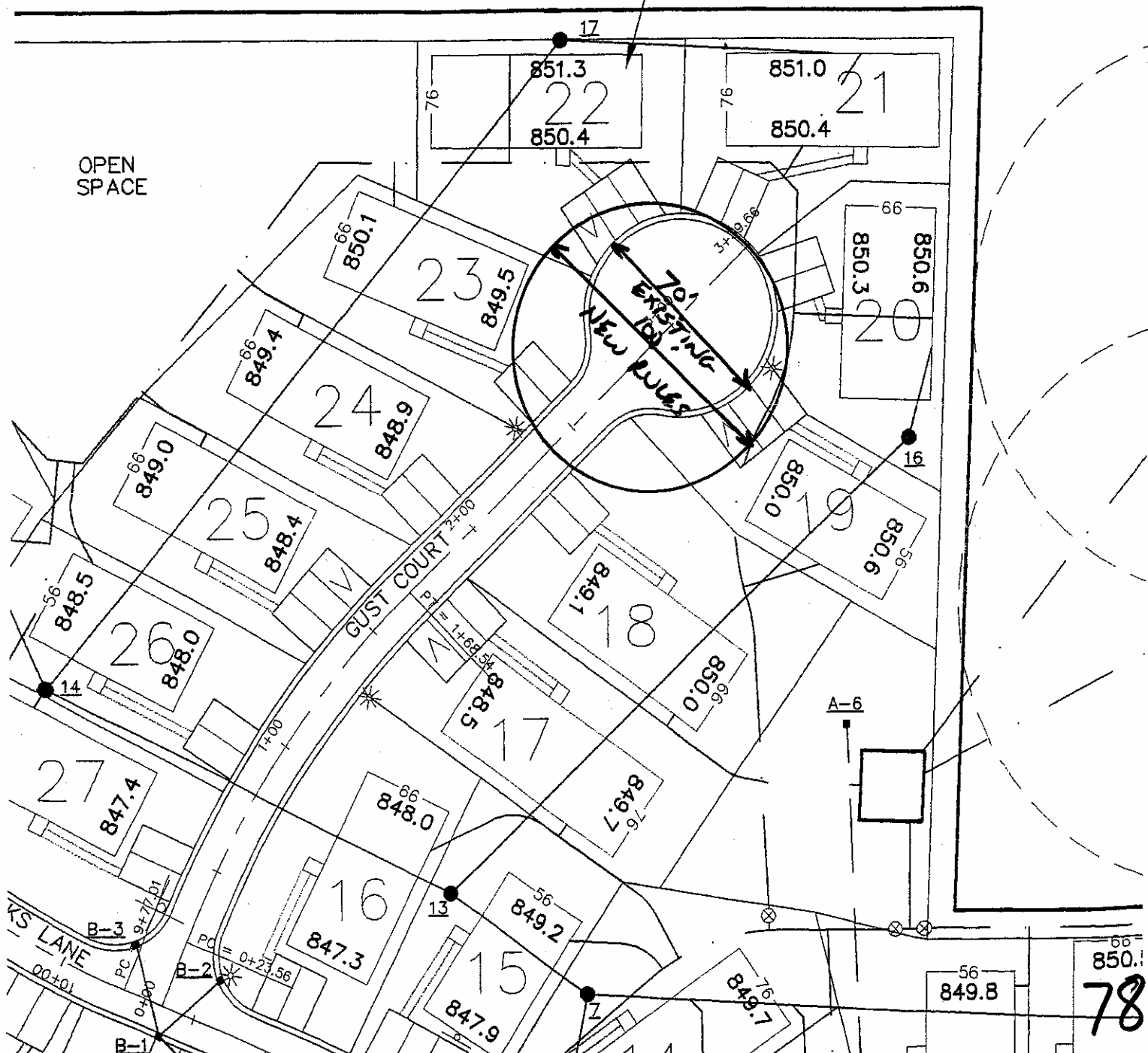
UM/hf

cc: BCCFS - Building Division

Stephens Consulting Services PC - Eric Iversen

Almont Meadows LLC - William Hubner

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 $1'' = 50'$

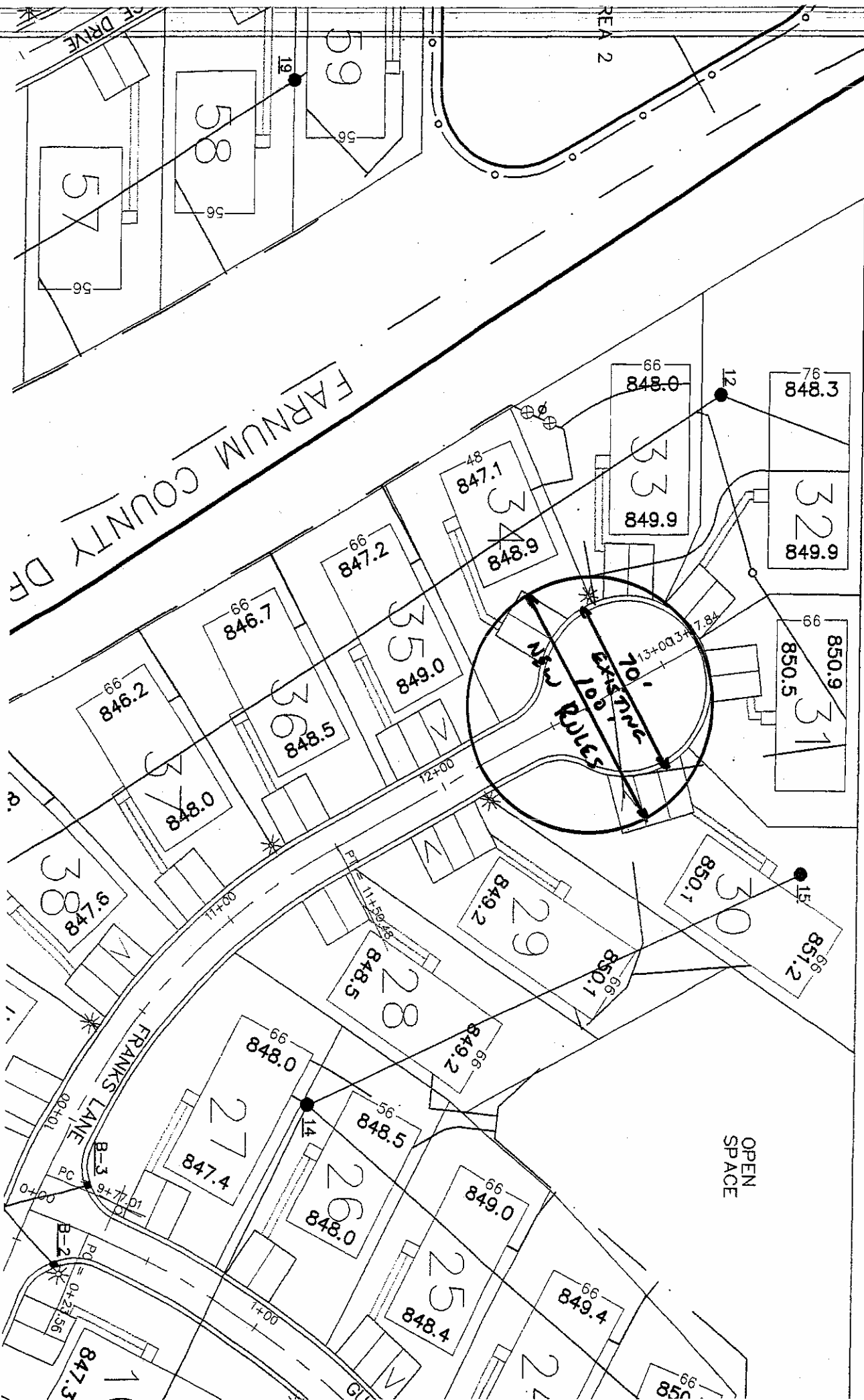


LINE

1"=50'

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PIER ELEVATION
ABOVE FINISH
HOME OR LESS
DRAINAGE OUTL





JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 16, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCES
PLEASANT LAKE MOBILE HOME COMMUNITY [PL]
(JACKSON CO.)

R125.1947a, Rule 947a. Requires communities to be maintained to the standards effective when constructed; requires communities permitted to construct before 2/28/79 to maintain a four-foot wide ground-level, unobstructed seven-foot high pathway.

Attached are **two** distance reduction variance requests and accompanying documentation from Mr. Peter Kostishak, operator of PL, a pre-Mobile Home Commission Act community built between 1957 and 1969. As shown in the appended photos (will be provided at Commission meeting), PL wants the Commission to sanction the following four-foot pathway violations of neighboring homes and structures discovered in a staff inspection of the following lot addresses:

<u>SITES</u>	<u>EXISTING DISTANCE</u>	<u>DISTANCE SHORTAGE</u>
1. 12 & 13	< 4'	see below
2. 16 & 17	< 4'	

PL's November 12, 2007, justification letter suggests that PL should be exempted from the pathway requirements referenced above because:

"The spacing violations we have been cited for are minimal in nature, only 4" to 6" short of the required spacing. These spacing violations are at the rear of the homes. In addition, the homes in question back up to a wooded area that is virtually impenetrable, starting just after the area where the violations occur. Any access past the point of the violation would be stymied by the forested area in any event."

The justification does not allude to the effect relocation would have on the structural integrity of the homes in this community or cite cost-prohibitive reconstruction as a drawback, if moving these homes is employed to eliminate or reduce setback shortfalls. The applicant indicates that he has no

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Memorandum to the Commission: Pleasant Lake MHC

January 16, 2008

Page Two

records of when the offending homes were installed or built. In previous reviews, the Commission has favorably considered local fire department views on reduced setbacks. No fire department letter is offered in justification and street parking appears to be the norm. The extent to which street parking would be an added impediment to emergency personnel access is not addressed.

Whether the filings listed on the next pages demonstrate an exceptional practical difficulty to compliance and, therefore, supports the need for variances under the criteria of Rule 948, hinges upon whether the Commission believes the Rule's intent regarding exceptional practical difficulty would include removing greenery or relocating, repositioning, or eliminating structurally fragile manufactured homes and their attachments. If the Commission is persuaded that all or some of these homes and structures may remain as located, there may be grounds for approving these requests with the condition that PL complies with the four-foot pathway standards when homes or their structures on the lots proposed for variance are removed. However, the Commission has not, in past reviews, generally deviated from the four-foot "pathway principle" established in Rule 947a.

KGD/kgd

Attachments

cc: Bill DeTemple, OLGCS
Irvin Poke, BCC, Plan Review
Mark Sisco, Admin., BCC

QSP, INC.
2232 S. MAIN STREET #463
ANN ARBOR, MI 48103-6938
Voice: 734/663-2479 Fax: 734/663-4089
E-mail: qsphomes@comcast.net

November 12, 2007

Scott Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
PO Box 30254
Lansing MI 48909-8203

VIA FACSIMILE 517-241-9308

Re: Case Number AIR 07-0937
License Number P000111

Dear Mr. Fisher

We are in receipt of your Order to Answer a Request for Information dated August 21 2007 and your subsequent Statement of Intent to Commence Proceedings dated 9/24/2007 and Order to Show Cause dated November 1, 2007. We sincerely apologize for failing to respond earlier. To be brutally honest, we felt that the Bureau was making a big deal over a small, technical violation and we were hoping the entire thing would go away. We admit to not even reading the any of the above correspondence until today. Not very mature, we admit, but truthful none the less.

The spacing violations we have been cited for are minimal in nature, only 4" to 6" short of the required spacing. These spacing violations are at the rear of the homes. In addition, the homes in question back up to a wooded area that is virtually impenetrable, starting just after the area where the violations occur. Any access past the point of the violation would be stymied by the forested area in any event.

We explained these circumstances to Mr. DeTemple and asked that the violations be condoned. His response was that we had to apply for a variance to the commission. Frankly, to us this seems like using a cannon to shoot a gnat. We chose not to file for a variance hoping that state employees were allowed some discretion in enforcement. We now see the error of our ways.

Consequently, we now request a hearing on the matter and ask that the Bureau and/or the mobile home commission grant us a variance for these items and refrain from issuing any fines or revoking our license.

Best regards,

Peter Kostishak
President

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PLEASANT LAKE MHC
2232 S. MAIN ST. #463
ANN ARBOR, MI 48103-6938
Voice: 734/663-2479 Fax: 734/663-4089

August 10, 2007

Bill DeTemple, Analyst
Office of Local Government & Consumer Services
State of Michigan, Bureau of Construction Codes
P.O. Box 30254
Lansing MI 48909

VIA FACSIMILE 517/241-6371

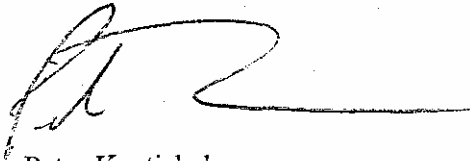
Re: Pleasant Lake MHC, Annual Inspection, Complaint AIR 07-0937

Dear Mr. DeTemple

The violations labeled 1, 2, 4, 5, 7, 9 and 10 on the attached copy of my letter to you dated June 29, 2007 have been corrected and photos are enclosed.

We continue to work on correcting the few remaining violations.

Best regards,

A handwritten signature in black ink, appearing to be 'Peter Kostishak', with a long horizontal flourish extending to the right.

Peter Kostishak
Managing Agent

PLEASANT LAKE MHC
2232 S. MAIN ST. #463
ANN ARBOR, MI 48103-6938
Voice: 734/663-2479 Fax: 734/663-4089

June 29 2007

Bill DeTemple, Analyst
Office of Local Government & Consumer Services
State of Michigan, Bureau of Construction Codes
P.O. Box 30254
Lansing MI 48909

VIA FACSIMILE 517/241-6371

Re: Pleasant Lake MHC, Annual Inspection, Complaint AIR 07-0937

Dear Mr. DeTemple

In response to your letter dated 6/11/07 and the annual report dated 04/17/2007. All of the violations noted were for violation of rule 947a(4) requiring a four foot path from the street to the back lot line. I personally inspected each area noted as a violation on the report. Following is our report on the results of those inspections:

- ① Lot 25-26: We have requested that the owner of lot 25 turn the shed that is on the lot, 90 degrees. This should allow for the required spacing to be met (see attached letter).
- ② Lot 27-28: We requested that resident move decorative wishing well to comply with spacing requirements. (See attached letter).
- ③ Lots 16-17: We believe that the requirement can be met by rotating the gas meter on the pedestal. We will have to contact Consumers Power to have this done. We don't feel that this is extremely urgent as the back lot line of these lots is blocked by our perimeter fencing and is not an effective escape route in any event.
- ④ Lots 28-29: We must have this shed moved to comply. We are calling our vendor to have this done.
- ⑤ Lots 30-31: We have asked the resident to move his trash enclosure so that the rule is satisfied. (See attached letter).
- ⑥ Lots 12-13: The pathway width here measured 3' 6" at its smallest point and we ask that this violation be condoned.
- ⑦ Lots 33-34: We have asked the resident to move their planters so that the rule is satisfied. (See attached letter).

⑧ Lots 35-36: We did not find this lot to be in violation, contrary to the report. Perhaps an obstruction has been removed in the ensuing two months?

⑨ Lots 36-37: We have asked the resident to move a wooden construct in their yard. (See attached letter). This would still leave the pathway width at 3' 6" at its smallest point and we ask that this violation be condoned.

⑩ Lots 37-38: We have asked the resident to move his rear steps so that the rule is satisfied. (See attached letter).

Best regards,

Peter Kostishak
Managing Agent



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

July 16, 2007

Mr. Peter Kostishak, Operator
Pleasant Lake Mobile Associates d/b/a
Pleasant Lake Mobile Home Community
2232 S. Main # 463
Ann Arbor, Michigan 48103-6938

RE: Complaint No. AIR 07-0937
Pleasant Lake Mobile Home Community, Jackson County – License No. P000111

Dear Mr. Kostishak:

Thank you for your letter dated June 29, 2007, concerning the violations noted on the manufactured home community annual inspection report. Your letter indicates that lots 35-36 are in compliance with the 4-foot spacing requirements. You also indicate that you are in the process of correcting the 4-foot spacing violations for lots 25-26, 27-28, 16-17, 28-29, 30-31, 33-34 and 37-38. You request that the 4-foot violations for lots 12-13 and 36-37 be condoned because the space is 3'6".

If complying with the spacing requirements for Pleasant Lake Mobile Home Community would result in an exceptional practical difficulty, you may decide to request a variance from the Manufactured Housing Commission. Your variance request must be mailed to Mr. Kevin DeGroat, Regulation Specialist, Office of Local Government and Consumer Services, P.O. Box 30254, Lansing, Michigan 48909. Without a variance your community must comply with the minimum spacing standards. Mr. DeGroat can also be reached at 517-241-9347.

If you decide to apply for a variance you should be able to complete the request and have it on the agenda for the October 10, 2007, commission meeting. Please let me know within 5 days of receipt of this letter what your plans are, and if you apply for a variance send me a copy of the request you send to Mr. DeGroat.

If you have any questions, please contact me at (517) 241-9347.

Sincerely,

Bill DeTemple, Analyst
Office of Local Government & Consumer Services

BD/bd

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 22, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCES
SPRING VALLEY MOBILE HOME PARK [SV]
(KENT CO.)

K.D.

R125.1947a, Rule 947a. Requires communities to be maintained to the standards effective when constructed; requires communities permitted to construct before 2/28/79 to maintain a four-foot wide ground-level, unobstructed seven-foot high pathway.

R125.1053(a), Section 53(a) of 1959 PA 243, as amended. Requires at least 10 feet between a vehicle and the nearest adjacent manufactured home.

Attached are **four** distance reduction variance requests and accompanying documentation from Mr. Jeffrey Shanbom, attorney for Randall Shaw, operator of SV, a pre-Mobile Home Commission Act community built between 1951 and 1967. Unlike the current parking standards of Rule 941, distance setbacks between manufactured homes and parking facilities in developments built before 2/28/79 are measured between homes and **vehicles**, as opposed to homes and parking space surfaces. As shown in the appended photos, SV wants the Commission to sanction the following vehicle parking space violations between vintage neighboring homes and structures discovered in a staff inspection of the following lot addresses:

<u>VEHICLE PARKING SPACE FOR SITE NO.</u>	<u>IS</u>	<u>FROM THE HOME ON SITE NO.</u>
N-1	7' 10"	N-2
N-2	7' 10"	N-3
N-6	0"	N-8
61	6' 5"	60

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Memorandum to the Commission: Spring Valley Mobile Home Park
January 22, 2008
Page Two

SV's justification letter indicates that SV should be exempted from the pathway requirements referenced above because the violations are tolerable to the Plainfield Township Fire Department. As discussed in the Assistant Chief's attached November 15, 2007, letter, as long as vehicle parking is discouraged on internal roads and a 20-foot-wide clearance is maintained for emergency access, his Department "has no concerns with the four parking area(s)."

Whether the filings listed on the next pages demonstrate an exceptional practical difficulty to compliance and, therefore, supports the need for variances under the criteria of Rule 948, hinges upon whether the Commission believes the Rule's intent regarding exceptional practical difficulty would include shortening, relocating, repositioning, or eliminating on-site parking locations (or structurally fragile manufactured homes). If the Commission is persuaded that all or some of these parking sites may remain as located, there may be grounds for approving these requests with the condition that SV complies with the aforementioned manufactured housing community laws when homes, structures, or parking spaces on the lots proposed for variance are removed. **The Commission has, in past reviews, approved parking space-to-adjacent home setbacks that are four or more feet wide, using the four-foot "pathway principle" established in Rule 947a.**

KGD/kgd

Attachments

cc: Bill DeTemple, OLGCS
Irvin Poke, BCC, Plan Review
Mark Sisco, Admin., BCC

JEFFREY M. SHANBOM, ESQ.
2350 Franklin Road
Suite 140
Bloomfield Hills, MI 48302
Phone (248) 514-2451 Fax (248) 451-9566

December 13, 2007

Mr. Kevin G. DeGroat, Analyst
Office of Local Government & Consumer Services
P.O. Box 30254
Lansing, MI 48909

Re: BCC Complaint No. AC 08-0023
Spring Valley Mobile Home Park, L.L.C.

Dear Mr. DeGroat:

Pleased be advised that I am legal counsel for Spring Valley Mobile Home Park, L.L.C. I have reviewed findings from an audit of Spring Valley and wish to request four variances from the requirement that there be ten (10) feet between parked cars and the manufactured homes (Rule 947a (3) & (4) and Section 38(1)(b) of the Act). My clients seek the variances as a result of discussions with the Plainfield Fire Department Assistant Chief Steven J. McKellar, who expressed no concerns with the four parking areas in question and also stated his preference that vehicles use the existing parking spaces rather than street parking to enhance emergency egress. (see attached letter)

The four variances requested are as follows:

Variance 1- the on site vehicle parking for site N-1 is 7'10" from the home on site N-2.

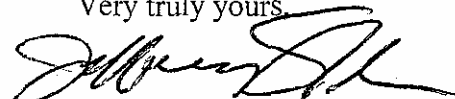
Variance 2- the on site vehicle parking for site N-2 is 7'10" from the home on site N-3.

Variance 3- the on-site vehicle parking for site N-6 abuts the home on site N-8.

Variance 4- the on-site vehicle parking for site 61 is 6'5" from the home on site 60.

I am submitting additional supporting documentation and request that these variance requests be considered by your office in a timely manner. If you need any further information, please call.

Very truly yours,


Jeffrey M. Shanbom

Variance Letter by Spring Valley Mobile Home Park

Cc: Bill DeTemple, Analyst Office of Local Government and Consumer Services, P O Box 30254 Lansing, MI 48909

Plainfield Charter Township 6161 Belmont Avenue, NE Belmont, MI 49306-9609

Larry Lehman, Chief, Building Division, Bureau of Construction Codes, P O Box 30254 Lansing, MI 48909

Plainfield Township Fire Department 4343 Plainfield Avenue NE Grand Rapids, MI 49525

JEFFREY M. SHANBOM, ESQ.
2350 Franklin Road
Suite 140
Bloomfield Hills, MI 48302
Phone (248) 514-2451 Fax (248) 451-9566

December 13, 2007

Plainfield Charter Township Clerk
6161 Belmont Ave, NE
Belmont, MI 49306-9609

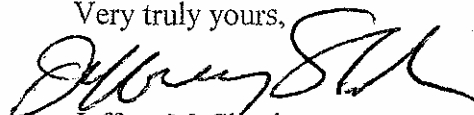
Re: Spring Valley Mobile Home Park

Dear Clerk:

This is to inform you that we are making application to the manufactured housing commission for a variance from Rule 947a (3) & (4) and Section 38(1)(b) of the Act regarding 10 foot wide pathways between parked vehicles and manufactured homes.

Thank you for your cooperation in working with my client as they continue this project. If you need any further information, please call.

Very truly yours,



Jeffrey M. Shanbom

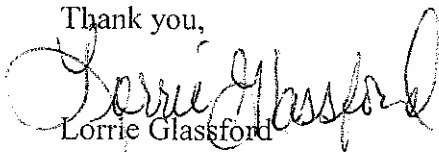
SPRING VALLEY MOBILE HOME PARK
2350 Franklin Road
Suite 140
Bloomfield Hills, MI 48302

December 13, 2007

Dear Residents:

This is to inform you that we have applied for a variance that is necessary due to the spacing between certain homes being slightly less than required.

Thank you,


Lorrie Glassford

SPRING VALLEY MOBILE HOME PARK

2350 Franklin Road

Suite 140

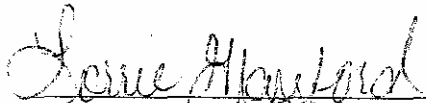
Bloomfield Hills, MI 48302

AFFIDAVIT

To: Manufactured Housing Division
Department of Commerce
Corporation and Securities Bureau
6546 Mercantile Way
P.O. Box 30222
Lansing, MI 48909

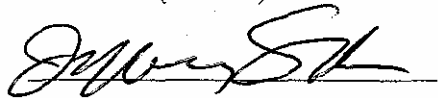
RE: Spring Valley Mobile Home Park
Subject: Request for Variance

I hereby certify that all measurements submitted to the Mobile Home Commission in my Request for Variance in the Spring Valley Mobile Home Park are accurate.


Lorrie Glassford, Manager

State of Michigan, County of Oakland) ss

The foregoing instrument was acknowledged before me this 19th day of December, 2007 by Lorrie Glassford (Affiant).



Notary Public, Oakland County, acting in Oakland County Michigan
My Commission Expires: Nov. 1, 2011

JEFFREY SHAMBOM
Notary Public, State of Michigan
County of Oakland
My Commission Expires Nov. 1, 2011
Acting in the County of Oakland

PLAINFIELD FIRE DEPARTMENT

Chief David R. Peterson
Email: chief@plainfieldfire.org

Deputy Chief Donald R. Bigger Jr.
Email: donbig@plainfieldfire.org

November 15, 2007

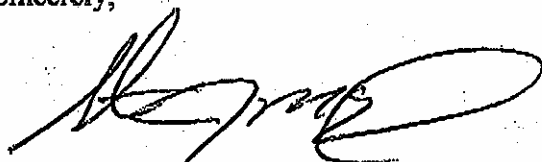
Lorrie Glassford
2350 Franklin Road, Suite 140
Bloomfield Hills, MI 48302

RE: Spring Valley Trailer Park

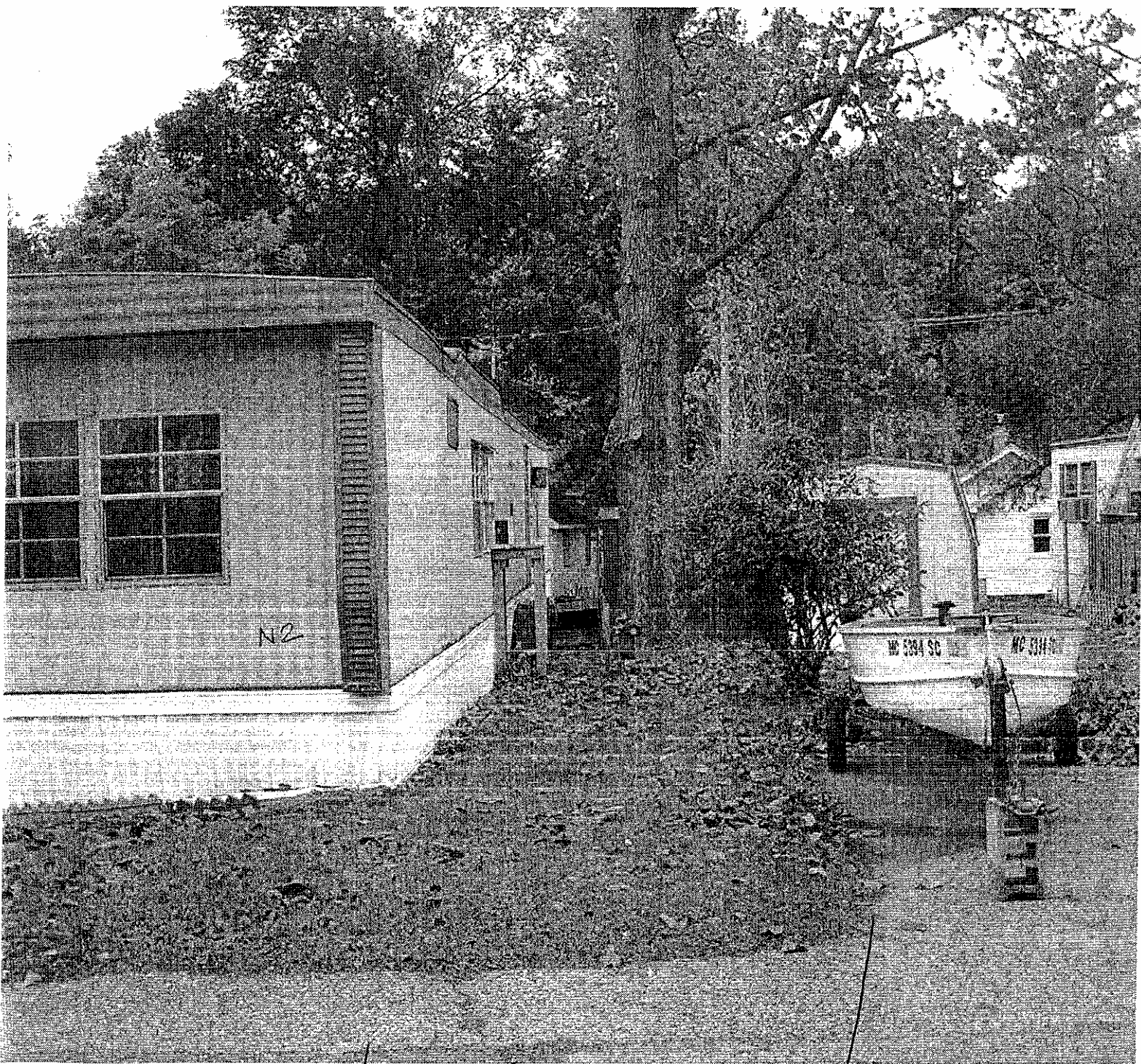
Ms. Glassford;

On November 12th I met with you at Spring Valley Trailer Park to discuss parking areas within the complex. Per our discuss the Fire Department has no concerns with the four parking area you pointed out to me, I also stated if possible the fire department would prefer the vehicles within the trailer park to use the driveway parking spots instead of the roadway when ever possible, and that a twenty foot wide clearance throughout the trailer park must be maintained at all times for emergency access. If you should have any questions please contact me at (616) 361-2895.

Sincerely,

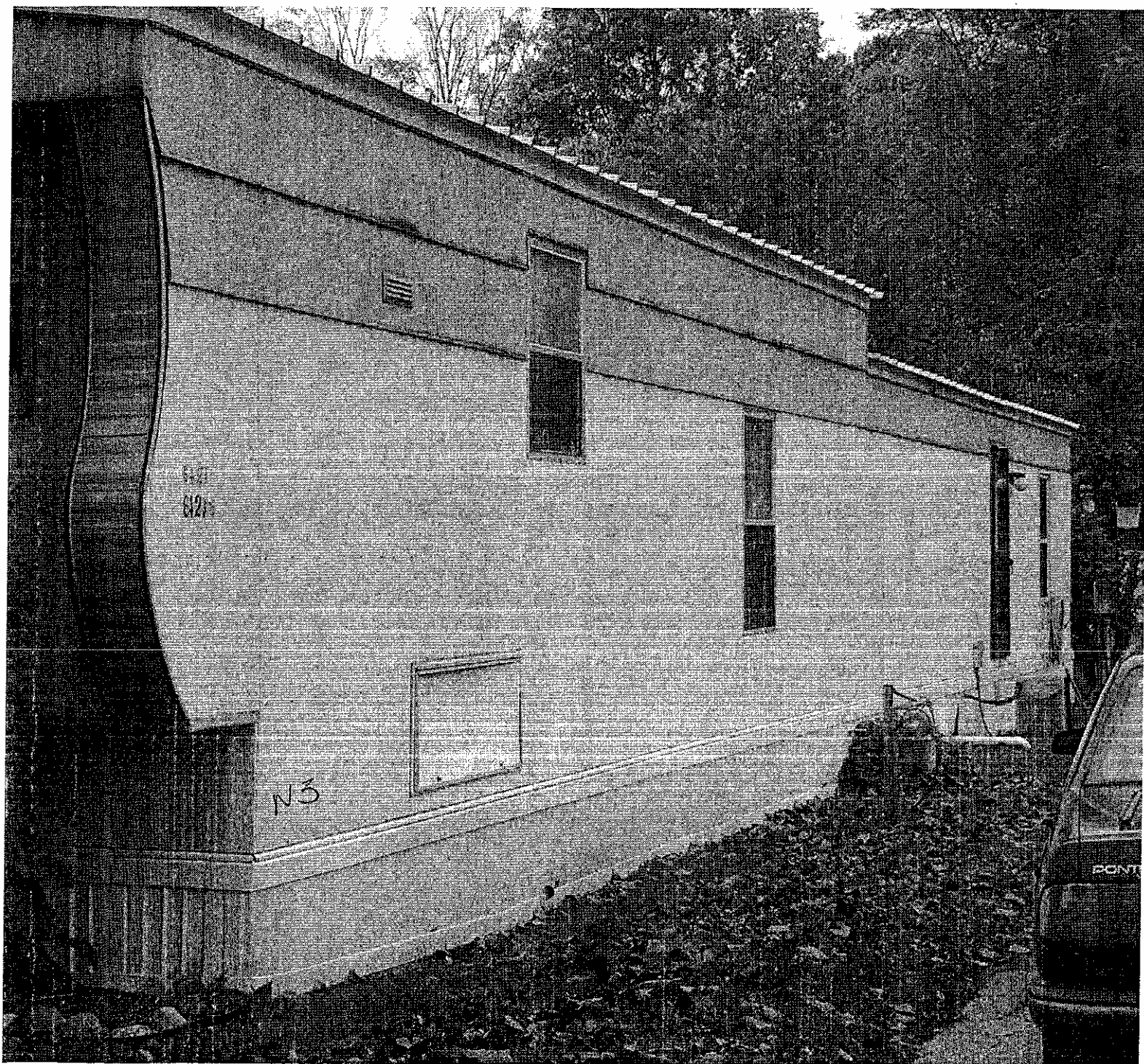


Steven J. McKellar, Assistant Chief



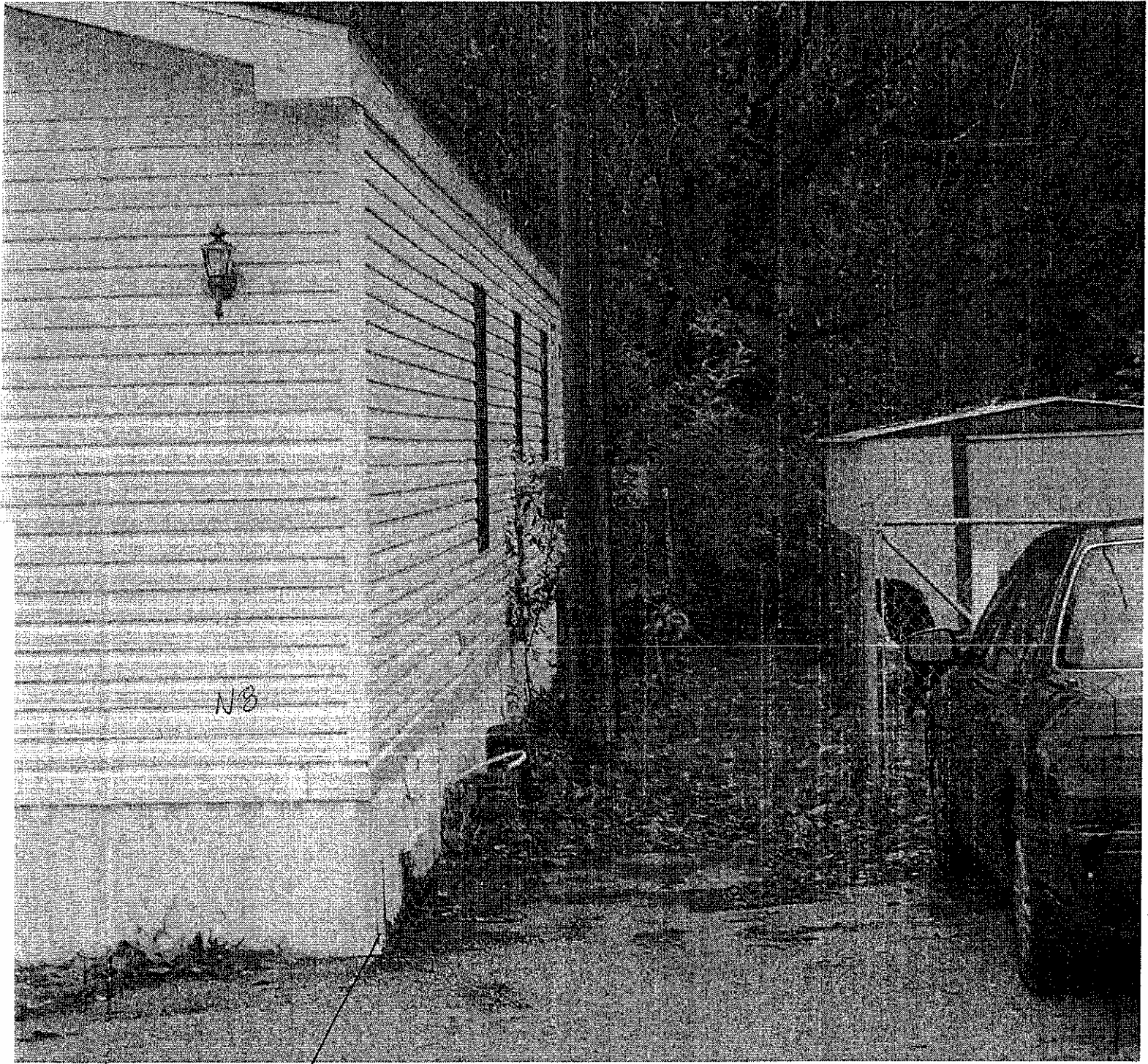
7' 10"





7' 10"



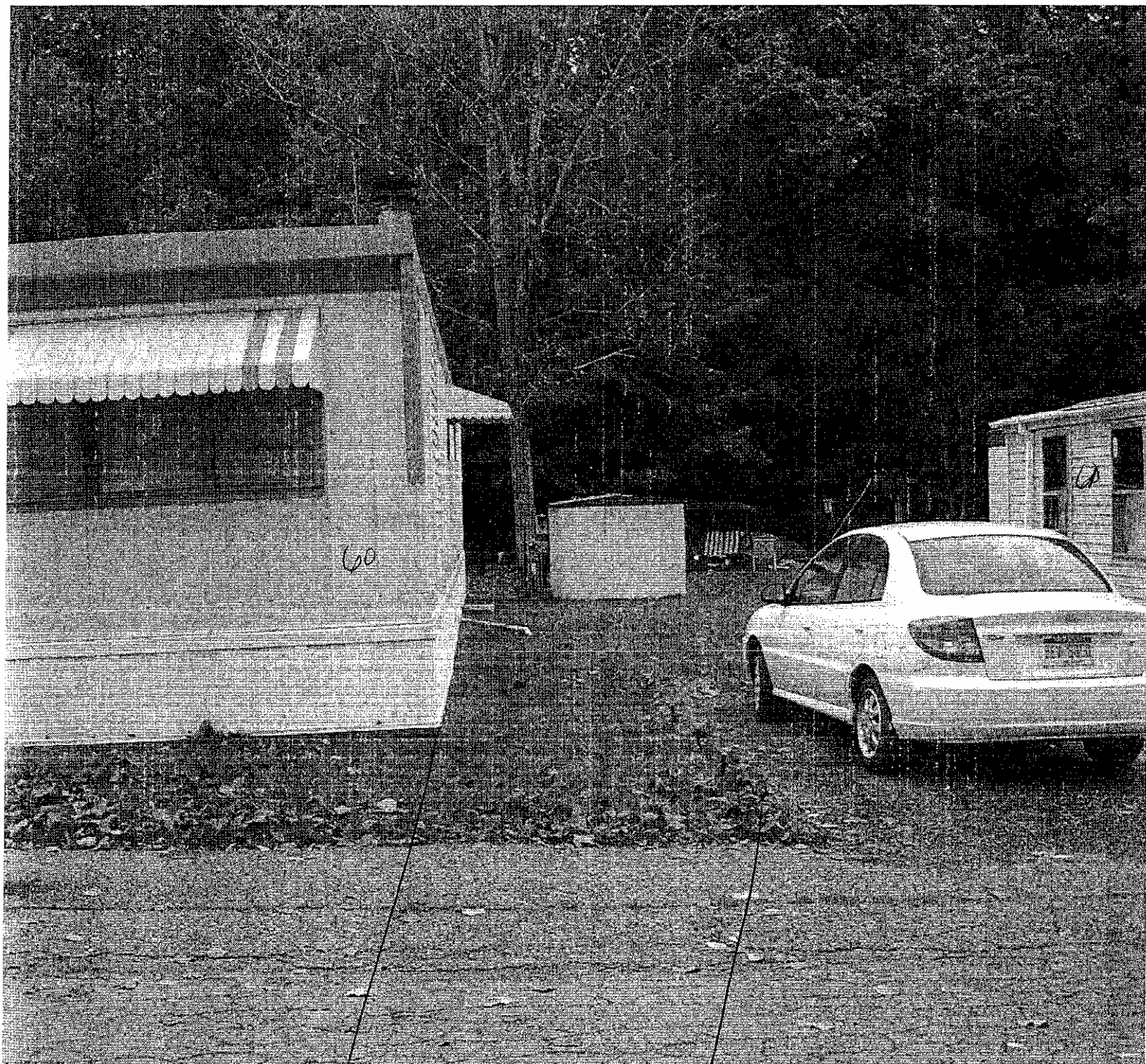


~~NO~~ driveway to N8

~~NO~~ space Butts up to Home on N8.



N6 driveway to N8



6' 5"



Site 60

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

June 8, 2007

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCES
SPRING VALLEY MOBILE HOME PARK [SV]
(KENT CO.)

R125.1947a, Rule 947a. Requires communities to be maintained to the standards effective when constructed; requires communities permitted to construct before 2/28/79 to maintain a four-foot wide ground-level, unobstructed seven-foot high pathway.

Attached are 14 distance reduction variance requests and accompanying documentation from Mr. Jeffrey Shanbom, attorney for Randall Shaw, operator of SV, a pre-Mobile Home Commission Act community built between 1951 and 1967. As shown in the appended illustrations and photos, SV wants the Commission to sanction the following four-foot pathway violations of vintage neighboring homes and structures discovered in a staff inspection of the following lot addresses:

<u>SITE</u>	<u>EXISTING DISTANCE</u>	<u>DISTANCE SHORTAGE</u>
1. 6466 Bodie	17"	31"
2. 6512 "	3' to 3' 6"	1' to 6"
3. 6434 "	33" to 3' 10"	15" to 2"
4. 6480 Millis	< 4'	?
5. 6486 "	3'	1'
6. 6432 "	2'	2'
7. 6515 Livingood	3'	1'
8. 6511 "	3'	1'
9. 6509 "	2' 6"	1' 6"
10. 6501 "	enclosed by fence	no access
11. lot 15	enclosed by fence	no access
12. 6469 Livingood	1'	3'
13. 6460 "	< 4'	?
14. 6403 Bodie	3' 5"	7"

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Memorandum: Spring Valley Mobile Home Park
June 8, 2007
Page Two

SV's justification letter indicates that SV should be exempted from the pathway requirements referenced above because the violations were not uncovered in previous annual inspections, they have existed for at least 10 years and to preserve "the charm and personality" existing (though obstructing) trees provide for the park.

The justification does not allude to the effect relocation would have on the structural integrity of the homes in this community or cite cost-prohibitive reconstruction as a drawback, if moving these homes is employed to eliminate or reduce setback shortfalls. In previous reviews, the Commission has favorably considered local fire department views on reduced setbacks. No fire department letter is offered in justification and street parking appears to be the norm. The extent to which street parking would be an added impediment to emergency personnel access is not addressed.

Whether the filings listed on the next pages demonstrate an exceptional practical difficulty to compliance and, therefore, supports the need for variances under the criteria of Rule 948, hinges upon whether the Commission believes the Rule's intent regarding exceptional practical difficulty would include removing greenery or relocating, repositioning, or eliminating structurally fragile manufactured homes and their attachments. If the Commission is persuaded that all or some of these homes and structures may remain as located, there may be grounds for approving many of these requests with the condition that SV complies with the four-foot pathway standards when homes or their structures on the lots proposed for variance are removed. However, the Commission has not, in past reviews, generally deviated from the four-foot "pathway principle" established in Rule 947a.

Attachments

KGD/kgd

cc: Bill DeTemple, OLGCS
Irvin Poke, BCC, Plan Review
Mark Sisco, Admin., BCC



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 22, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCES
SUNSET VILLAGE MOBILE HOME PARK [SV]
(GENESEE CO.)

R125.1947a, Rule 947a. Requires communities to be maintained to the standards effective when constructed; requires communities permitted to construct before 2/28/79 to maintain a four-foot wide ground-level, unobstructed seven-foot high pathway.

R125.757(b)(2), Section 7(b)(2) of 1949 PA 52, as amended. Requires 3 feet between the ends of manufactured homes and the boundary in communities built from 4/8/49 to 12/31/59.

Attached are **two** distance reduction variance requests and accompanying documentation from Ms. Evduza Ramaj, operator of SV, a "grandfathered" pre-Mobile Home Commission Act community built in 1954. SV seeks variances for these remaining home-to-boundary three-foot setback violations discovered in a staff inspection, as itemized in the attached 5/17/06 audit report excerpt.

These setbacks are less than the then-effective minimum three-foot distance required between homes and community boundary lines, which are marked by a fence.

Ms. Evduza's justification letter indicates that compliance with the minimum setback and distance requirements referenced above would "place the mobile home on the road." She also indicates that the mobile homes on lots 119 and 126 have been on their present sites for eight and six years, respectively, and asserts that their relocation would damage their structural integrity and create financial hardships for the occupants.

Whether these filings demonstrate an exceptional practical difficulty to compliance and, therefore, support the need for variances under the criteria of Rule 948, hinges upon whether the Commission believes the Rule's intent regarding exceptional practical difficulty would include shortening, relocating, repositioning, or eliminating structurally fragile manufactured homes. If the Commission is persuaded that all or some of these homes may remain as located, there may be grounds for

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Memorandum to the Commission: Sunset Village Mobile Home Park
January 22, 2008
Page Two

approving the requests with the condition that SV complies with the aforementioned three-foot boundary when homes or structures on the lots proposed for variance are removed.

KGD/kgd

Attachments

cc: Bill DeTemple, OLGCS
Irvin Poke, BCC, Plan Review
Mark Sisco, Admin., BCC

SUNSET VILLAGE MOBILE HOME PARK

2501 LIPPINCOTT BLVD.
FLINT, MI 48507

EVDUZA RAMAJ
PRESIDENT

TELEPHONE (810) 232-7421
TELEFAX (810) 232-5410

December 10, 2007

Kevin G. DeGroat
Office of Local Government and Consumer Services
Michigan Department of Labor and Economic Growth
P.O. Box 30222
Lansing, MI 48909

Re: Sunset Village Mobile Home Park
Variance Request

Dear Mr. DeGroat:

Attached please find list of variances requested together with justifications, a set of drawings showing the places where variances are requested, copy of letter sent to tenants, copy of letter sent to City of Flint.

If you require anything further please contact the undersigned.

Sincerely,



Evduza Ramaj

SUNSET VILLAGE MOBILE HOME PARK

2501 LIPPINCOTT BLVD.
FLINT, MI 48507

EVDUZA RAMAJ
PRESIDENT

TELEPHONE (810) 232-7421
TELEFAX (810) 232-5410

December 10, 2007

Kevin G. DeGroat
Office of Local Government and Consumer Services
Michigan Department of Labor and Economic Growth
P.O. Box 30222
Lansing, MI 48909

Re: Requests for Variances

Dear Mr. DeGroat:

This is a request from the Sunset Village Mobile Home Park, for two variances to be considered by the Commission.

Variance # 1: The trailer on Lot 119 is 1'10" from the boundary fence behind the home in violation of Rule 947a(3) and Section 38(1)(b) of the Act which require a 3 foot spacing

Justification: This home has been on this space for 8 years and to move it away from the fence would place the mobile home on the road. Also, it would pose physical risk to the structure and financial hardship on the tenant.

Variance # 2: The trailer on Lot 126 is 1 foot from the boundary fence behind the home in violation of Rule 947a(3) and Section 38(1)(b) of the Act which require a 3 foot spacing.

Justification: This double wide home has been on this space for 6 years and to move it away from the fence would place the mobile home on the road. Also, moving it would pose a physical risk to the structure of the home and financial hardship on the tenant.

Sincerely,

SUNSET MOBILE HOME PARK


Evduza Ramaj

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

I, Evduza Ramaj, being duly sworn, affirm the following to be true to the best of my knowledge, information and belief.

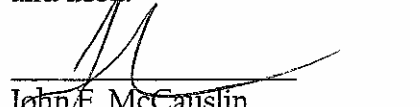
I am a member of Twilight Properties, LLC and am the operator of the mobile home park known as Sunset Village Mobile Home Park, located at 2501 Lippincott Blvd, Flint, Michigan 48507.

I have supervised the measurement and drawing of certain drawings attached hereto regarding the location of certain mobile homes within the park, and attest to the accuracy of those drawings and the measurements set forth thereon.

I have supervised and overseen the drafting of and mailing out of letters notifying the City of Flint and the tenants of Sunset Mobile Home Park of the variances which are being requested at this time, and certify that the letters, copies of which are attached hereto, have in fact been mailed to the required parties .


Evduza Ramaj

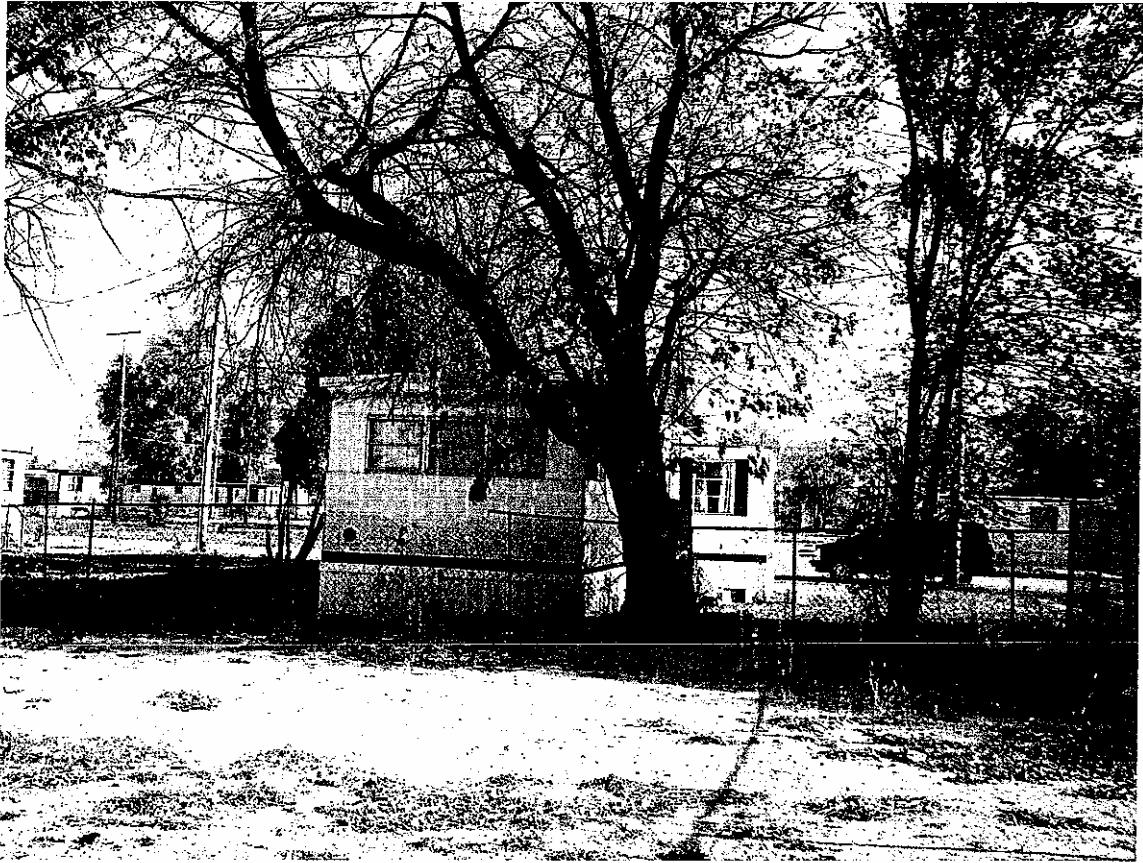
Acknowledged, sworn and subscribed to before me, a notary public, Oakland County, Michigan, this December 10, 2007, by Evduza Ramaj, a person known to me, as her own free act and deed.


John E. McCauslin
My commission expires: 12/19/11
Acting in Oakland County



LOT 119

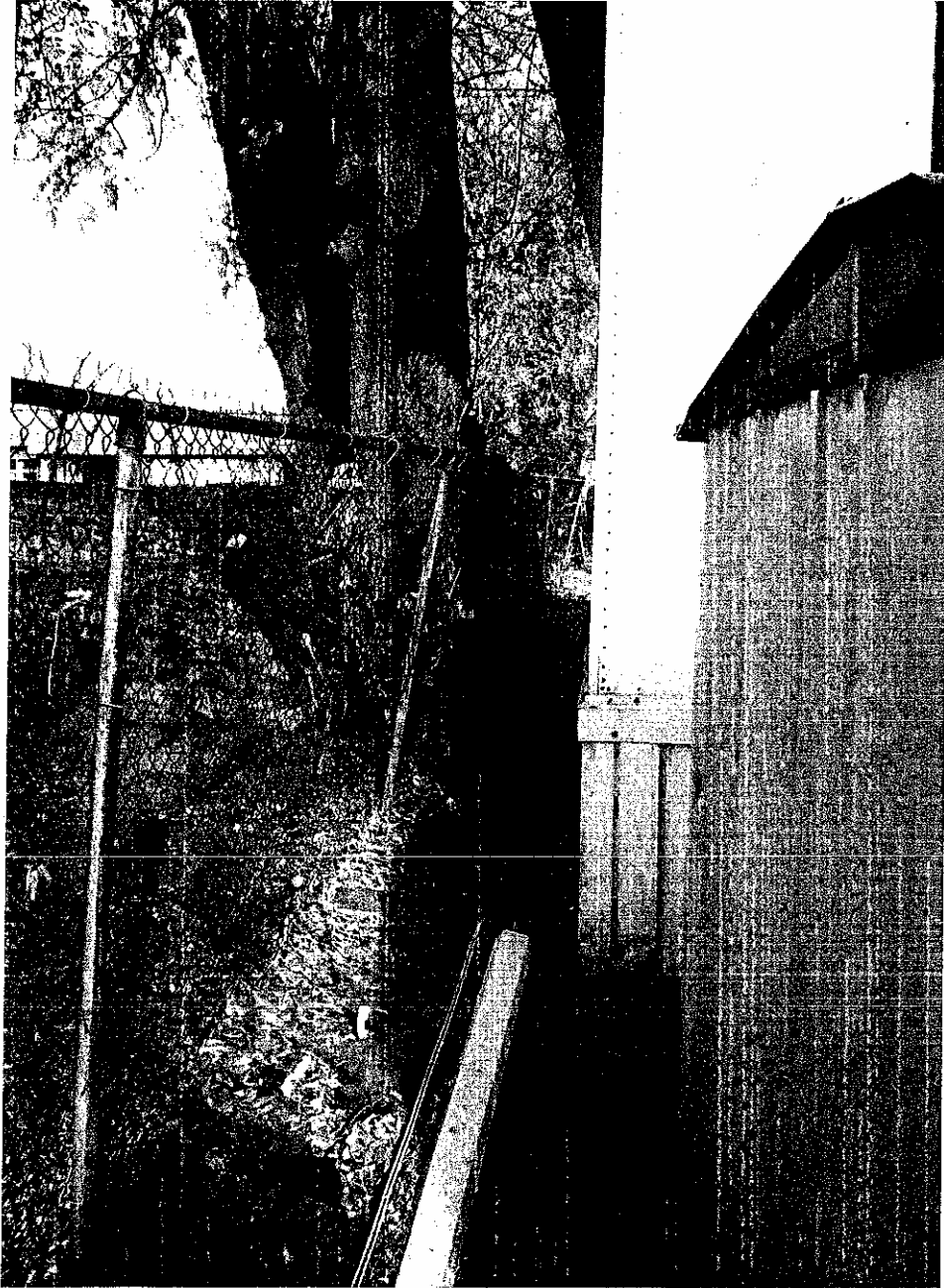
110



LOT 119



LOT 126



LOT 126

132	131	130	129	128	127	126	125	124	123	122	121	120
TO	V	E	V	TO	V	E	V	E	V	E	TO	TO

CHANNING CROSS

BEECH

91	92	93	94	95	96	97	98	99	100	101	102	103	104
TO	V	V	V	V	TO	V	TO	TO	V	TO	V	TO	TO
90	89	88	87	86	85	84	83	82	81	80	79	78	77
V	TO	V	V	V	V	V	TO	V	V	TO	V	V	TO

APPLE

61	62	63	64	65	66	67	68	69	70	71	72	73	74
V	V	V	V	V	TO	V	V	V	V	V	TO	V	TO
60	59	58	57	56	55	54	53	52	51	50	49	48	47
V	V	V	V	V	V	V	V	V	V	V	V	V	V

BRAE-BURN

33	34	35	36	37	38	39	40	41	42	43	44	45
V	TO	TO	TO	TO	TO	TO	TO	V	V	V	TO	TO
32	31	30	29	28	27	26	25	24	23	22	21	20
V	V	V	V	V	V	V	V	V	V	V	V	V

PICKWICK

16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
TO	V	V	V	V	V	V	V	V	V	V	V	V	V	V
15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
V	V	V	V	V	V	V	V	V	V	V	V	V	V	V

LIPPINCOTT

134	133	132	131	130	129	128	127	126	125	124	123	122	121	120
TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO

POTTER

134	133	132	131	130	129	128	127	126	125	124	123	122	121	120
TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO

SUNSET VILLAGE MOBILE HOME PARK

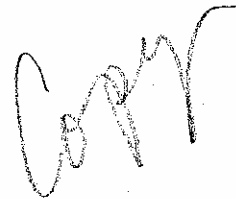
2501 LIPPINCOTT BLVD.
FLINT, MI 48507

EVDUZA RAMAJ
PRESIDENT

TELEPHONE (810) 232-7421
TELEFAX (810) 232-5410

December 10, 2007

City Clerk
City of Flint
1101 Saginaw
Flint, MI 48502



Re: Sunset Village Mobile Home Park
Pending Variance Request with State of Michigan

Dear Sirs:

This letter is sent to inform you that Sunset Mobile Home Park is making application to the Manufactured Housing Commission of the State of Michigan regarding the clearances between the exterior fence and Lots 119, and 126.

Please let me know if you have any questions or if I can be of any further service to you.

Sincerely,



Evduza Ramaj

May 17, 2006

The protective covers for the circuit breaker or fuse box on the vacant sites in Sunset are not secured.

Respondents' failure to secure the protective cover of the circuit breaker or fuse box on vacant site is a violation of Rule 710(2) and Section 38(1)(b) of the Act.

6. FAILURE TO MAINTAIN REQUIRED OBSTRUCTION FREE SIDE YARD SPACING BETWEEN THE HOMES.

Sunset is a manufactured home community that was issued a permit to construct before February 28, 1979. Communities issued a permit to construct prior to February 28, 1979, must maintain a minimum 4-foot wide ground level pathway which is obstruction free to 7 feet in height and which runs the length of the side yard with access to the road.

Respondents have failed to maintain the required 4-foot obstruction free side yard ground level pathway between the following homes:

1. The homes on lots 120 & 121 do not have the required 4-foot side yard pathway between the homes.

Respondents' failure to maintain required obstruction free side yard spacing between homes is a violation of Rule 947a(4) and Section 38(1)(b) of the Act.

7. FAILURE TO MAINTAIN SPACING STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION.

Sunset is a manufactured home community that was constructed in accordance with previous acts or local ordinances, or both, in effect at the time of construction. The space between the homes in Sunset may be used for the parking of motor vehicles, provided such space is clearly designated and such vehicle be parked at least 10 feet from the nearest adjacent home.

The following on site vehicle parking allows vehicles to be parked less than 10 feet from the nearest adjacent manufactured home:

- (a) The on site vehicle parking for site 105 is 4'8" from the home on site 106.
- (b) The on site vehicle parking for site 135 is 5'8" from the home on site 134.
- (c) The on site vehicle parking for site 136 is 6'3" from the home on site 135.
- (d) The on site vehicle parking for site 137 is 5'7" from the home on site 136.
- (e) The on site vehicle parking for site 138 is 5'1" from the home on site 137.
- (f) The on site vehicle parking for site 139 is 6'8" from the home on site 138.
- (g) The on site vehicle parking for site 140 is 5'6" from the home on site 139.

Mrs. Euduza Ramaj

Page 4

May 17, 2006

- (h) The on site vehicle parking for site 142 is 4' from the home on site 141.
- (i) The on site vehicle parking for site 143 is 5'10" from the home on site 142.
- (j) The on site vehicle parking for site 144 is 5'2" from the home on site 143.

The following vehicle is parked on site, in a non-designated parking area, and is parked less than 10 feet from the nearest adjacent manufactured home:

- (a) There is a vehicle for site 51 that is parked in a non-designated parking area and is 5'2" from the home on site 52.

The following manufactured homes are not in compliance with the 3-foot spacing requirement that was in effect at the time the sites were constructed:

- (a) The rear of the home on lot 119 is 1'10" from the fence behind the home.
- (b) The rear of the home on lot 122 is 1'3" from the fence behind the home.
- (c) The rear of the home on lot 126 is 3" from the fence behind the home.
- (d) The rear of the home on lot 136 is 2'3" from the fence behind the home.

There shall be at least three feet between a manufactured home and the rear of another, and at least three feet between a manufactured home and the boundary fence of a community.

Respondents' failure to maintain spacing standards in effect at time of construction is a violation of Rule 947a(3) and Section 38(1)(b) of the Act.

8. FAILURE TO ALLOW "FOR SALE" SIGNS OF AT LEAST 18 INCHES BY 24 INCHES AND FAILURE TO ALLOW THE PLACEMENT OF UP TO 2 "FOR SALE" SIGNS IN THE WINDOWS OF OR ON A HOME.

The community rules shall not require "For Sale" signs to be less than 18 inches by 24 inches and shall not prohibit or restrict the placement of up to 2 "For Sale" signs in the windows of or on a home.

The rules for Sunset limit "For Sale" signs to one 18" X 12" and limit the placement of the "For Sale" sign to inside the front window of the home.

Respondents' failure to allow "For Sale" signs to be at least 18 inches by 24 inches and failure to allow the placement of up to 2 "For Sale" signs in the windows of or on a home is a violation of Rules 1006(3)(b) & (c) and Section 38(1)(b) of the Act.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 22, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCE
WILDWOOD MOBILE ESTATES (W)
(ROSCOMMON CO., PC-525-R1)

K.D.

R125.1905(5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

R125.1920(2), Rule 920(2): All entrances to new communities or new entrances to expanded communities shall be a minimum of 33 feet in width. The entrance shall consist of an ingress lane and a left and right egress turning lane at the point of intersection between a public road and the community's internal road and shall be constructed as follows:

- (a) All turning lanes shall be a minimum of 11 feet in width and 60 feet in depth measured from the edge of the pavement of the public road into the community.
- (b) The turning lane system shall be tapered into the community internal road system commencing at a minimum depth of 60 feet.
- (c) The ingress and right egress turning lanes of the ingress and egress road shall connect to the public road and shall have a radius determined by the local public road authority. The intersection of the public road and ingress and egress road shall not have squared corners.
- (d) Alternative designs that provide for adequate ingress and egress shall be approved by the department.

(Eff. 8/1/03)

Attached is a two-component November 28, 2007, variance submission from Mr. John Lineberry requesting that the Commission grant a five-year Permit to Construct extension, allowing W to complete construction of this development. Initially issued a Permit to Construct for 105 sites on 5/1/91 and a renewal on 6/13/97, W received from the Commission on 7/31/02 a variance extending the Permit to Construct (PTC) for another five years that expired on 6/13/07. Under the 10-year limitation in Rule 905(5), this Permit to Construct is not ordinarily renewable. Mr. Lineberry now seeks an additional five-year PTC extension.

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Memorandum to the Commission: Wildwood Mobile Estates
January 22, 2008
Page Two

Mr. Lineberry explains that the viability of this \$300,000-plus retirement investment, which is also contingent upon securing an additional investment partner, is dependent upon your approval of his extension request. He attributes previous construction delays to personal and financial circumstances and seeks the Commission's assurance or ruling that he be allowed an extra five years to complete construction, which will include 38 parking bays. Mr. Lineberry also seeks your approval of two main entrances to be built without the turning lanes required in Rule 920 (2), justifying this waiver by requesting your consideration of the fact that (a) both accesses are located off a dead-end road and (b) he is willing to provide alternative traffic access via an existing service drive at the rear of this development.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rule 905(5), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to submit new construction plans for this development and its ingress/egress road. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the current turning lane standards of Rule 920(2) that became effective on 8/1/03 is a related question that the applicant wants you to decide. In any event, if the Commission is convinced by Mr. Lineberry's justification, there may be grounds for approving the proposed project and its entrance, or a modified variance with a fixed permit expiration date. In recent reviews of Permit to Construct extension variances, the Commission has approved five-year extensions.

KGD/kgd

Attachments

cc: Bill DeTemple, OLGCS (w/att.)
Irvin Poke, BCC, Plan Review (w/att.)
Mark Sisco, Admin. (w/att.)

November 28, 2007

Kevin Degroat

C/o Manufactured Housing Commission

Dear Kevin Degroat:

I am requesting an amendment under R 125.1905(6) to seek an extension on the development of a mobile home park that I have over ten years invested in.

I believe that another five-year extension is justified due to the fact that my personal circumstances have limited my progress on the park. Building this park continues to be my ambition for retirement. My immediate plan after the anticipated extension is to find a partner to assist financially with the completion of the park. I currently have an associate interested in putting forth finances to go in on the park pending this extension and his own economic circumstances.

I have over \$300,000.00 (above the cost of the property) invested in the development of this park. It would be extremely upsetting to me to lose all of the labor and finances that I have committed to the property by a denial of the five-year extension to construct. Since purchasing the property I have extended an 8 inch sewer main 350 ft along M-18 and installed a sewer lift station 14 ft below grade and put in one water-well. I have also purchased sewer pipes and light poles for the park. All the roads on the property have been cleared, top soil scrapped, and 90% of the lots have been cleared. I have dug a pond for water retention and appeal. There is electricity on the property and a mobile home for an office. Some equipment I have purchased for the completion of the park include: a 1986 Komatsu 200 excavator (\$30,000), a pipe laser (\$5,000) for installing sewer lines, a concrete saw for cutting sewer pipe, a machine to mulch straw for grass seeding lots, and a top soil shaker. I have also invested in two bulldozers, a dump truck, and a backhoe for the excavating.

Park plans also currently include 38 parking bays and according to the 2003 Michigan Building Code, rule 926(1), only require 33. All parking bays are located no more than 500 ft from the intended sites and each home site has two spaces. All parking facilities will be restructured for compliance with R 408.30427, if current plans are not satisfactory.

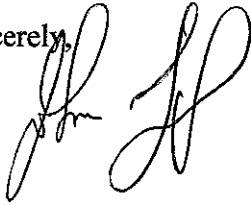
In regards to rule 920(2), that require community entrances to have an ingress lane, and left and right egress lanes, the two main park entrances of the park under consideration are located directly off from a dead end road. Due to this there would be no logic in creating turning lanes to a road with no traffic turning right. The park does have a service

drive to the back of the park which I would be willing to make the alteration to if necessary, however I do not wish to encourage the public use of the drive.

If I am granted the five-year extension I will contact an architect to draw up the plans so that the park is in compliance with current construction rules. I genuinely hope that you will take my request for an extension under serious consideration.

I thank you for your time and deliberation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Lineberry', written in a cursive style.

John Lineberry
Owner/John Lineberry Mobile Home Moving

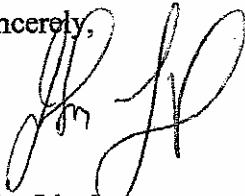
November 28, 2007

Denton Township
Township Hall
2565 S Gladwin Rd.
Prudenville, MI 48651

Denton Township Clerk:

The State of Michigan Manufactured Housing Commission has requested that I notify Denton Township that I am seeking a variance for additional time to construct the mobile home park in Prudenville. The meeting is to be held January 10th, 2007 at 2501 Woodlake Circle, Okemos, Conference Room #2.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Lineberry', written over the word 'Sincerely,'.

John Lineberry

Application for Manufactured Housing Community Plan Examination and Permit
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes / Plan Review Division
P.O. Box 30255, Lansing, MI 48909
517-241-9328
www.michigan.gov/bcc

Agency Use Only

Authority: 1972 PA 230
Completion: Voluntary
Penalty: Plans will not be reviewed

The Department of Labor and Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

Note: The applicant is responsible for all fees applicable to this application.

COMMUNITY NAME						
COMMUNITY NAME Wildwood Mobile Home Park				STREET / SITE ADDRESS 1/2 mile SO. of M-55 on M-18		
NAME OF CITY, VILLAGE OR TOWNSHIP IN WHICH THE MANUFACTURED HOME COMMUNITY IS LOCATED						
<input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township				of Prudenville Roscommon		
DEVELOPMENT INFORMATION						
<input checked="" type="checkbox"/> Manufactured Housing Community <input type="checkbox"/> Manufactured Housing Condominium						
Project Type	Development No.	Existing Permit No.	License No.	Addendum No.	No. of Sites	Site Sequence
<input type="checkbox"/> New						
<input type="checkbox"/> Alteration						
<input type="checkbox"/> Expansion						
<input type="checkbox"/> Plans Change / Addendum						
<input checked="" type="checkbox"/> Renewal						
<input type="checkbox"/> Conversion						
ENGINEER / ARCHITECT						
ENGINEER'S / ARCHITECT'S NAME (Company or individual) Wilcox Associates Inc.			MICHIGAN LICENSE NUMBER PE# 34587		TELEPHONE NUMBER (Include Area Code) 989-389-4387	
ADDRESS 7711 So. us 131		CITY Caddillac	STATE mich.	ZIP CODE 49601		
APPLICANT (Note: All correspondence will be sent to this address)						
NAME OF DEVELOPER John Cineberry		APPLICANT NAME John Cineberry		SOCIAL SECURITY NUMBER* OR FEIN (REQUIRED)		TELEPHONE NUMBER (Include Area Code) 989-389-4387
ADDRESS 6144 North point dr		CITY St. Helen	STATE mich.	ZIP CODE 48656	FAX NUMBER (Include Area Code) 989-389-2338	
CERTIFICATION AND SIGNATURE						
I certify the statements contained in this application are true and I have authority to sign this application and to make the statements contained herein. Any misleading, incomplete or false statement shall be grounds for denial of this application.						
I agree any legal process affecting this business, served on the Manufactured Housing Commission, shall have the same effect as if personally served on me and all other owners of this business if any. I further agree this appointment shall remain in force as long as any liability of this business shall remain outstanding within the State of Michigan.						
I hereby designate as my agent (name) _____ (address) _____ City _____ State _____ Zip Code _____ Telephone Number _____ who will act on behalf of the entity I represent on matters pertaining to this project. (If no agent is designated, the undersigned shall be considered the designated agent.)						
APPLICANT SIGNATURE (Must be an original signature)				DATE		

Subscribed and sworn before me, this _____ day of _____, 20____, a Notary Public in and for _____ County, Michigan.

Signature of Notary Public _____ My Commission expires: _____ 20____



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MEMORANDUM

DATE: February 6, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat *K.D.*

SUBJECT: PROPOSED MANUFACTURED HOUSING COMMUNITY ORDINANCE,
ROSS TOWNSHIP, KALAMAZOO COUNTY: *REFUSAL TO EXTEND THE
COMMISSION'S STATUTORY REVIEW DEADLINE ESTABLISHED IN
SECTION 7 (1) OF THE MOBILE HOME COMMISSION ACT*

I recommend approval, modified approval, denial, and consideration of the attached annotated provisions, as proposed in the draft Order. Ordinarily, ordinances are first reviewed by the Ordinance Review Committee before they are presented with a Committee report to you for final evaluation. In this case, however, the Township submitted the proposal on January 18, 2008-- *after* the Ordinance Review Committee scheduling deadline. Moreover, the Township's representative declined to extend the 60-day statutory review deadline beyond its March 25 expiration date to accommodate this ordinance's re-docketing at your April 16, 2008, meeting. This makes it necessary that you review it on February 13 to avoid its automatic "as-is" approval on March 25.

The Township did not submit written justification for these higher standards, as described in Section 7 (1) of 1987 PA 96, as amended, and Manufactured Housing Commission Rule R125.1120.

My apologies for any inconvenience this late addition may pose. If you have any questions, feel free to contact me at (517) 241-9347.

KGD/kgd

Attachment

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**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.
ATTORNEYS AT LAW**

458 WEST SOUTH STREET
KALAMAZOO, MICHIGAN 49007-4621

JOHN H. BAUCKHAM
JOHN K. LOHRSTORFER
CRAIG A. ROLFE
ROXANNE C. SEEGER
KENNETH C. SPARKS
ROBERT E. THALL

TELEPHONE (269) 382-4500
FAX (269) 382-2040

HARRY F. SMITH
1906-1972

JAMES W. PORTER
Of Counsel

January 18, 2008

Michigan Mobile Home Commission
c/o Michigan Department of Labor & Economic Growth
P.O. Box 30004
Lansing, Michigan 48909-7504

Dear Administrator:

I am corresponding with you as the attorney for Ross Township here in Kalamazoo County. The Township Planning Commission is presently considering various proposed amendments of the Township Zoning Ordinance, including the provisions adopted in 1986 with respect to a Mobile Home Park District.

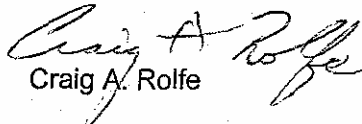
The proposed new text, a copy of which is enclosed, generally addresses the development of a mobile home park with reference to the requirements imposed by 1987 Public Act 96, as amended, and the administrative rules promulgated thereunder. See proposed Section 8.65 A. Additional proposed requirements, some of which are also in the existing ordinance, are specified in proposed Section 8.65 B-I. Some of these additional requirements could possibly be construed to involve a standard "higher" than the standard provided in the above-referenced statute or administrative regulations.

We are therefore filing the proposed text for review pursuant to MCL 125.2307(1). As best I can determine the Michigan Mobile Home Commission may no longer exist, and some or all of the statutorily-prescribed functions of that body may have been transferred to the Michigan Department of Labor & Economic Growth. Please therefore process this letter and the enclosure accordingly.

Thank you. Please contact me if you have any questions.

Sincerely,

BAUCKHAM, SPARKS, ROLFE,
LOHRSTORFER & THALL, P.C.


Craig A. Rolfe

CAR/dm
enc.

cc (w/enc):

Jeff Bither, Ross Township Supervisor
Martha Chambers, Ross Township Clerk
Jim Lauderdale, Ross Township Planning Commission Chairman
Rebecca Harvey, Ross Township Planning Consultant

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8.6 - R-4 MOBILE HOME PARK DISTRICT

8.61 - Description of District

This district is designed solely for mobile home parks and such accessory structures and uses normally associated therewith, in accordance with those regulations specified by Michigan Public Act 96 of 1987 and all amendments thereto, and consistent with the goals and objectives of the Township Master Plan and other requirements specified herein. The purpose of this district is to encourage a suitable environment for persons and families choosing to live in a mobile home development. In keeping with the occupancy characteristics of contemporary mobile homes, this Ordinance establishes density standards and permitted uses that reflect the needs of the residents in the district.

ZONING-
NO
JURISDIKT.
(NO J)

Lands zoned R-4 Mobile Home Park District shall have an area of at least 25 contiguous acres to facilitate cohesive mobile home park development in accordance with the requirements of this Ordinance.

D
018

8.62 - Permitted Uses

- A. Mobile home park, including a residence for the mobile home park owner or operator and his family, but excluding any retail sales of mobile homes, unless the same are located upon a developed mobile home site; subject, however, to the requirements in Section 8.65.
- B. Family day care home (within single family dwelling in mobile home park).
- C. Foster care (small group) facility (within single family dwelling in mobile home park).
- D. Home occupation (within single family dwelling in mobile home park).
- E. Signs, when in accordance with the provisions of Section 9.2.

see
Sec.
8.65

NO
J

8.63 - Special Land Uses

— NO J

- A. Communication tower/antenna.
- B. Group day care home (within single family dwelling in mobile home park).

8.64 - Lot, Yard and Area Requirements

Except as elsewhere specified herein, the lot, yard and area requirements shall be as specified in Michigan Public Act 96 of 1987 and all amendments thereto, and in the regulations promulgated thereunder.

8.65 - Conditions and Limitations

- A. Mobile home parks shall comply with the requirements imposed by Michigan Public Act 96 of 1987 and all amendments thereto, and with all regulations promulgated thereunder, except as such provisions are modified herein. *A - with conditions stated in this analysis*

- B. A mobile home park or extension of an existing mobile home park creating a total of 50 or more mobile home sites shall be developed so as to provide at least two (2) paved access streets. *D 090*

- C. The owner of every mobile home park which lies immediately adjacent to a residential district zone classification, other than "R-4" Mobile Home Park District, shall provide a screening area of at least 20 ft in width, separating said park from the adjoining residential district. The screen shall conform to the following standards: *083*

1. Be in the form of evergreen plantings which are compact and maintained in good condition at all times.
2. The height of the screen shall be not less than five (5) feet, except where the screen would interfere with traffic safety, in which case it may be reduced to not less than three (3) feet.
3. In lieu of evergreen plantings or as a supplement to them, a fence which cannot be seen through may be constructed not less than five (5) feet in height, except where the fence would interfere with traffic safety, in which case it may be reduced to not less than three (3) feet. Such fence shall be commensurate with the character of the adjoining development and shall be maintained at all times in a neat and attractive manner.

The owner of the mobile home park shall also provide a greenbelt planting area along the side or back perimeter of the mobile home park of at least 20 feet in width where the park abuts a public right-of-way. The greenbelt shall be developed with a mixture of hardy deciduous and coniferous plant material and shall be maintained in a neat and orderly manner.

- D. Sidewalks, constructed of asphalt or concrete, shall be provided immediately adjacent and parallel to any interior street within the

*U -
lower
standard*

Sec 1700

8.65

mobile home park to provide for safe and convenient movement from all home sites to principal destinations within the park.

- E. Each mobile home park shall contain a recreation area equivalent to eight percent (8%) of the total land area of the park. No sideline or setback area required by this Ordinance shall be included in the computation of the recreation area required by this Ordinance.
- F. Not less than two (2) paved off-street parking spaces for motor vehicles shall be provided within the mobile home park on every mobile home site located therein. Each parking space shall be at least 180 square feet in area and nine (9) feet in width, exclusive of driveway and sidewalks. In addition, regional paved off-street parking spaces shall be provided sufficient for the parking of one vehicle for every three (3) mobile home sites.
- G. The mobile home park developer shall provide a storage lot fenced and screened within the park equal to at least 200 square feet for each mobile home site in the park, for the storage of tenants' camping trailers, boats, snowmobiles and other similar recreational equipment. Such items shall not be parked or stored in any other area of the park.
- H. Livestock are not allowed in this district, whether as an accessory use or otherwise. Customary household pets are allowed; provided such animals shall not run at large or commit any nuisance.
- I. Unique character design: It is the purpose of this Section to allow for a new concept of mobile home development. Under the provisions of this Ordinance, mobile home parks may be so designed to allow for a cluster type of mobile home grouping with said clusters separated from each other by common open space, individual mobile home sites separated from each other by common open space, and the provision of related recreational space such as golf courses, swimming pools, private parks, community centers, and other recreational facilities.

It is also the intent of this Section to allow the developer to use a more creative and imaginative design for mobile home parks to preserve unusual natural features on the site and to utilize excess or generally unusable land to bypass unusual natural obstacles, thereby reducing overall development costs of the project.

Parks designed to provide a cluster type arrangement may reduce the mobile home site size by 15 percent provided the reduced area be equally dedicated as common open space abutting the cluster.

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PART 7. GENERAL OPERATION, MAINTENANCE, AND SAFETY

R 325.3371 Operation, maintenance, and safety generally.

Rule 71. The operator of a mobile home park or seasonal mobile home park shall maintain the mobile home park or seasonal mobile home park, its facilities, and equipment in a sanitary and safe condition in conformance with the provisions of the act and these rules.

R 325.3372 Prohibited practices; domestic animal control.

Rule 72. (1) A person constructing or operating a mobile home park or seasonal mobile home park shall not create or maintain a hazard to health or safety.

(2) A domestic animal or house pet shall not be allowed to run at large within the limits of a mobile home park or seasonal mobile home park. A mobile home park or seasonal mobile home park shall be maintained reasonably free of domestic pet feces.

R 325.3373 Maintenance of utility connections.

Rule 73. (1) The utility connection between the point of connection to the mobile home park or seasonal mobile home park utility system and the connection to the mobile home shall be considered a part of the park utility system for the purpose of maintenance. Upon discovery of the failure or leakage of, or damage to, the connection, the park manager shall notify the mobile home owner in writing of the need for repair. If the mobile home owner fails to make the necessary repair within 10 days of receipt of the notice, the park manager shall cause the repairs to be completed and the mobile home owner may be assessed the cost of the repairs as an addition to the monthly rental charge.

(2) The following items shall be included under the provisions of this rule:

(a) The connecting sewer pipe from the sewer service riser to the mobile home.

(b) The connecting water service pipe from the water service riser to the mobile home.

(c) The connecting electrical service line from the electrical pedestal to the mobile home.

(d) The connecting fuel service line from the service meter to the mobile home.

(3) If the existing utility connection cannot be repaired, it shall be replaced pursuant to R 125.1603 of the Michigan Administrative Code.

R 325.3374 Safety equipment.

Rule 74. The licensee of a mobile home park or seasonal mobile home park containing facilities in confined spaces, such as sewer manholes, sewage pumping stations, septic tanks, and well houses, shall provide safety equipment and training necessary to protect the safety and welfare of those personnel maintaining such equipment. Depending upon the nature of the hazard, required equipment may include, but shall not necessarily be limited to, toxic gas testing equipment, ventilation equipment, protective clothing, and hoists.

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

ROSS TOWNSHIP
Kalamazoo County

Mr. Craig A. Rolfe
Bauckham, Sparks, Rolfe, Lohrstorfer & Thall, P.C.
458 West South Street
Kalamazoo, MI 49007

DRAFT

**ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO CONDITIONALLY APPROVE PROPOSED
LOCAL ORDINANCE PURSUANT TO
THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Manufactured Housing Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance higher standard from Ross Township on January 25, 2008, and

WHEREAS, the Commission reviewed the proposed local ordinance higher standard at its meeting on February 13, 2008.

IT IS THEREFORE ORDERED that the proposed local ordinance higher standard submitted by the local government on January 18, 2008, be and hereby is APPROVED as amended:

Section 8.64 is APPROVED.

Section 8.65 (H) is APPROVED, pursuant to the enclosed governing Michigan Environmental Quality Rule R325.3372.

Section 8.65 (I) is APPROVED, subject to the conditions outlined in the analysis of Section 8.65 (E).

WHEREAS, pursuant to Section 7(1) of the Act, MCL 125.2307(1), the Commission finds the following unrevised sections of the proposed local ordinance higher standards submitted by the local government are unreasonable, arbitrary, or not in the public interest:

Section 8.61, second paragraph, is DENIED because it is an unreasonable higher standard. The Commission believes the 25-acre minimum is excessive, making it unreasonably difficult, economically, to build and maintain a manufactured housing community, having considered prevailing market construction and maintenance costs and projected resident revenues. Section 2(i) of the Act provides that a manufactured housing community may be comprised of 3 or more mobile homes, but does not require a minimum acreage.

Section 8.62 (A) is DENIED. See the analysis of Section 8.65 for details.

Section 8.65 (A) is DENIED, subject to the analyses of the ensuing subsections of Section 8.65.

Section 8.65 (B) is DENIED because it is arbitrary, unreasonable and not in the public interest. When considering the approval of a higher screening standard than governing Rule R125.1945, the Commission looks critically at whether the standard requires the developer to screen against later-arriving uses. The Commission, in the past, has deemed it inequitable and unreasonable for local governments to require developers to establish greenbelts to demarcate undeveloped property and has traditionally approved only a last-comer-provides-screen policy.

However, the Commission may not be opposed to the buffer requirement, per se, and has supported the following alternative:

Manufactured home developments shall be landscaped as follows:

1. If a manufactured home development abuts an existing residential development, the development shall be required to provide screening along the boundary abutting the residential development.

If the development abuts a non-residential development, it need not provide screening.

In all cases, however, a development shall provide screening along the boundary abutting a public right-of-way.

The landscaping shall consist of evergreen trees or shrubs at least three-feet in height which are spaced so they provide a continuous screen at maturity. Alternative screening devices may be utilized if they conceal the manufactured home development as effectively as the required landscaping described above.

Another Commission-approved variation, contained in Section 1500 of its Model ordinance, reads as follows:

SECTION 1500 **SCREENING, FENCING & LANDSCAPING**

If equal or greater standards are imposed on other residential developments, manufactured housing communities shall be landscaped as follows:

- a. If a manufactured housing community abuts an existing residential development, the community shall be required to provide screening along the boundary abutting the residential development.
- b. If the community abuts a non-residential development, it need not provide screening.
- c. In all cases, however, a community shall provide screening along the boundary abutting a public right-of-way.
- d. The landscaping shall consist of evergreen trees or shrubs at least three feet in height at time of planting which are spaced so that they provide a continuous screen at maturity. Alternative screening devices may be utilized if they buffer the manufactured housing community as effectively as the required landscaping described above.
- e. Exposed ground surfaces in all parts of the community shall be paved or covered with ornamental stone or protected with grass, trees, or shrubs that are capable of

preventing soil erosion. The ground surface and all parts of the community shall be graded and equipped to drain all surface water in a safe and efficient manner.

Section 8.65 (E) is a DENIED higher standard that is arbitrary, unreasonable and not in the public interest, absent the written justification required by Rule R125.1120. Under Rule R125.1947, specifically-designated recreational areas are optional. Developers do not have to build these areas in their manufactured home developments. However, Rule R125.1946 requires manufactured home developments to have open space areas, which the township may require developers to show on their preliminary plans. If a developer elects to provide a recreational area, the township may require the developer show this area on his or her preliminary plan. See Rule R125.1946 for details concerning open space areas, or the following Commission-approved Model Ordinance section:

SECTION 1300 **OPEN & RECREATIONAL SPACE AND FACILITIES**

- (i) A manufactured housing community that contains 50 or more sites constructed under a Permit to Construct shall have not less than 2 percent of the community's gross acreage dedicated to designated open space, but in no case less than 25,000 square feet. (Rule R125.1946)
- (ii) Required property boundary setbacks may not be used in the calculation of open space area. Optional improvements shall comply with state codes and applicable laws and ordinances pertinent to construction, including obtaining appropriate state or local permits for the facility or structure being built. (Rule R125.1947)
- (iii) If provided, recreational or athletic areas shall comply with the safety and setback standards of Rules R125.1705 and 125.1941(1), respectively.

Section 8.65 (G) is DENIED, absent written justification for this higher standard, as required under Rule R125.1120. Rule R125.1926 (3) is the established parking standard for the described use. However, the Commission has previously approved the following alternative from Model Ordinance Section 1920:

- a. If recreational vehicle storage is provided within the manufactured housing community, it should include, but not be limited to: class A, B, and C motor homes; fifth wheel travel trailers; travel trailers; folding tent campers; trailered boats; trailered all-terrain vehicles; trailered personal watercraft; historic vehicles; and seasonal equipment. The storage area shall be adequately locked, fenced, and permanently screened, using the same standards of screening provided at the property's perimeter, and surfaced in accordance with Rule R125.1922. (Higher standard)

- b. The storage area shall be limited to use by the residents and management of the manufactured housing community.

The following sections of the Township's proposal are beyond the Commission's jurisdiction, or are comprised of standards which are lower than those minimum standards established in the Rules:

Section 8.61, first paragraph, is a zoning matter beyond the Commission's jurisdiction.

Sections 8.62 (B) through (E) and 8.63 are beyond the Commission's jurisdiction.

Section 8.65 (D), is an unacceptable lower standard than Rule R125.1928. However, the Commission has approved the following alternative sidewalk standard:

SECTION 1700 **SIDEWALKS**

- a. Common sidewalks shall be installed along one side of all internal collector roads within the community to the public right-of-way and to all service facilities including central laundry, central parking, and recreation areas. **(Higher standard expanding Rule R125.1928)**
- b. Common sidewalks shall be constructed in compliance with all of the following requirements:
 - (i) Sidewalks shall have a minimum width of 3 feet and shall be constructed in compliance with Act 8 of the Public Acts of 1973, being Section 125.1361 et seq. of the Michigan Compiled Laws, an act that regulates sidewalk access to the handicapped. (Rule R125.1928 (a))
 - (ii) All common sidewalks shall meet the standards established in Rule R125.1928. (Rule R125.1928 (b))
- c. An individual site sidewalk with a minimum width of 3 feet shall be constructed to connect at least one entrance to the home, patio, porch, or deck, and the parking spaces serving the home or a common sidewalk. These sidewalks shall meet the standards established in Rule R125.1928.

Section 8.65 (F) is an unacceptable lower standard than the amended variation in Rules R125.1925 and 1926. However, the Commission has also approved the language in following Section 1400 of the Model Ordinance:

SECTION 1400 **PARKING**

A minimum of 2 hard-surfaced parking spaces shall be provided for each manufactured home site. Additional parking equal to 1 space for 3 manufactured homes shall be provided for visitor parking. Parking may be on-site or off-site. (Rules R125.1925 and 1926)

- a. If the two resident vehicle parking spaces required by this section are provided off the home site, then the parking spaces shall be adjacent to the home site and each parking space shall have a clear parking width of 10 feet and a clear length of 20 feet. (Rules R125.1925 and 1926)
- b. If parking spaces are provided for resident vehicle parking, they shall contain individual spaces that have a clear parking width of 10 feet and a clear length of 20 feet. (Rule R125.1926 (2))

If vehicle parking is provided on the home site, it shall comply with both of the following provisions:

- c. The parking space shall be constructed of concrete, bituminous asphalt, or, where permitted by local regulations, compacted road gravel, and supported by a suitable subgrade compliant with the standards of AASHTO. (Higher standard adaptation of Rule R125.1922).
- d. The parking spaces may be either in tandem or side-by-side. If spaces are in tandem, then the width shall not be less than 10 feet and the combined length shall not be less than 40 feet. If spaces are side-by-side, then the combined width of the two parking spaces shall not be less than 20 feet and the length shall be not less than 20 feet. (Rule R125.1925)

A minimum of one parking space for every three home sites shall be provided for visitor parking.

- e. Visitor parking shall be located within 500 feet of the home sites the parking is intended to serve, as measured along a road or sidewalk.

If parking is provided for visitor parking, it shall contain individual space that have a clear parking width of 10 feet and a clear length of 20 feet. (Rule R125.1926)

IT IS FURTHER ORDERED that, pursuant to R 125.1125(2), Rule 125(2), the sections of the proposed local ordinance higher standard cited above as denied will be denied fifteen days from the date of the receipt of this Order. If a written request for hearing is filed with the Commission by the local government within fifteen days of receipt of this Order, then the matter shall be set down for hearing to commence without undue delay. If a written request for hearing is not filed with the Commission by the local government within fifteen days of receipt of this Order, then the proposed higher standard shall be automatically denied and this Order shall be a final order in the matter.

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local Government & Consumer Services, Attention: Kevin G. DeGroat, P.O. Box 30254, Lansing, Michigan 48909.

February 13, 2008

MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Chairperson

PENDING LICENSE APPROVALS
FEBRUARY 13, 2008 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
	Cross Roads ADIO, LLC Maple View Estates of Mt. Pleasant 1955 S. Chippewa Mt. Pleasant, MI 48858 Gayleene Goldman, Operator
	Greenway Investment Group North PC Sunrise Manufactured Homes 3500 Inwood Circle Kalkaska, MI 49646 William B. Stepke, Operator
	Greenway Investment Group South PC Advanced Housing 810 North Birch Street Kalkaska, MI 49646 William B. Stepke, Operator
	Greenway Investment Group South PC Advanced Housing 8429 East M-115 Cadillac, MI 49601 William B. Stepke, Operator